1	(J) investigating and prosecuting in the ci-
2	vilian justice system government personnel who
3	are credibly alleged to have violated human
4	rights;
5	(K) cooperating with commissions against
6	corruption and impunity and with regional
7	human rights entities;
8	(L) supporting programs to reduce pov-
9	erty, expand education and vocational training
10	for at-risk youth, create jobs, and promote equi-
11	table economic growth, particularly in areas
12	contributing to large numbers of migrants;
13	(M) creating a professional, accountable ci-
14	vilian police force and ending the role of the
15	military in internal policing;
16	(N) protecting the right of political opposi-
17	tion parties and other members of civil society
18	to operate without interference;
19	(O) implementing tax reforms; and
20	(P) resolving commercial disputes.
21	(2) Determinations and impact on assist-
22	ANCE.—
23	(A) Insufficient progress.—The Sec-
24	retary of State shall periodically review the
25	progress of each of the central governments of



El Salvador, Guatemala, and Honduras in
meeting the requirements of paragraph (1):
Provided, That if the Secretary determines and
reports to the appropriate congressional com-
mittees that sufficient progress has not been
made by such government in meeting such re-
quirements, the Secretary shall suspend, in
whole or in part, assistance for such govern-
ment for programs supporting such require-
ment, and shall notify the appropriate congres-
sional committees in writing of such action:
Provided further, That the Secretary may re-
sume such assistance if the Secretary deter-
mines and reports to such committees that cor-
rective measures have been taken by such gov-
ernment.

(B) Change in National Government.—Not later than 90 days following a change of national government in El Salvador, Guatemala, or Honduras, the Secretary of State shall determine whether or not such government is meeting the requirements of paragraph (1) and submit a report to the appropriate congressional committees detailing the reasons for such determination: *Provided*, That if the Secretary

determines that such government is not meeting
such requirements, then the Secretary shall sus-
pend, in whole or in part, assistance for such
country until such time as such determination
and report can be made.
(C) Reprogramming.—Assistance sus-
pended pursuant to subparagraphs (A) or (B)
may be reprogrammed if the Secretary of State
determines that corrective measures have not
been taken: Provided, That any such re-
programming shall only be made available for
assistance for other countries in Latin America
and the Caribbean and shall be subject to the
regular notification procedures of the Commit-
tees on Appropriations.
(3) Consultation.—The Secretary of State
shall consult with the Committees on Appropriations
not less than 14 days prior to submitting any certifi-
cation made pursuant to subsection (a)(1) and any
suspension or reprogramming made pursuant to sub-
section $(a)(2)$.
(4) Exceptions and limitations.—
(A) Exceptions.—The limitation of para-
graph (1) shall not apply to funds appropriated

by this Act that are made available for the

1	International Commission against Impunity in
2	Guatemala, the Mission to Support the Fight
3	against Corruption and Impunity in Honduras,
4	humanitarian assistance, and food security pro-
5	grams.
6	(B) Limitations.—None of the funds ap-
7	propriated by this Act that are made available
8	for assistance for countries in Central America
9	may be made available for direct government-
10	to-government assistance or for major infra-
11	structure projects.
12	(b) Colombia.—
13	(1) Assistance.—Of the funds appropriated by
14	this Act under titles III and IV, not less than
15	\$418,253,000 shall be made available for assistance
16	for Colombia, including to support the efforts of the
17	Government of Colombia to—
18	(A) conduct a unified campaign against
19	narcotics trafficking, organizations designated
20	as foreign terrorist organizations pursuant to
21	section 219 of the Immigration and Nationality
22	Act (8 U.S.C. 1189), and other criminal or ille-
23	gal armed groups: Provided, That aircraft sup-
24	ported by funds made available by this Act and

prior Acts making appropriations for the De-

1	partment of State, foreign operations, and re-
2	lated programs may be used to transport per-
3	sonnel and supplies involved in drug eradication
4	and interdiction, including security for such ac-
5	tivities, and to provide transport in support of
6	alternative development programs and inves-
7	tigations by civilian judicial authorities;
8	(B) enhance security and stability in Co-
9	lombia and the region;
10	(C) strengthen and expand governance, the
11	rule of law, and access to justice throughout
12	Colombia;
13	(D) promote economic and social develop-
14	ment, including by improving access to areas
15	impacted by conflict through demining pro-
16	grams;
17	(E) assist communities impacted by signifi-
18	cant refugee or migrant populations; and
19	(F) implement a peace agreement between
20	the Government of Colombia and illegal armed
21	groups, in accordance with constitutional and
22	legal requirements in Colombia.
23	(2) Limitation.—None of the funds appro-
24	priated by this Act or prior Acts making appropria-
25	tions for the Department of State, foreign oper-

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1	ations, and related programs that are made available
2	for assistance for Colombia may be made available
3	for payment of reparations to conflict victims or
4	compensation to demobilized combatants associated
5	with a peace agreement between the Government of
6	Colombia and illegal armed groups.
7	(3) Counternarcotics.—Of the funds appro-
8	priated by this Act under the headings "Economic
9	Support Fund" and "International Narcotics Con-
10	trol and Law Enforcement" and made available for
11	counternarcotics assistance for Colombia, 20 percent

may be obligated only after the Secretary of State

certifies and reports to the Committees on Appro-

priations that the Government of Colombia has re-

duced overall illicit drug cultivation, production, and

trafficking.

(4) Human rights.—Of the funds appropriated by this Act under the heading "Foreign Military Financing Program" and made available for assistance for Colombia, 20 percent may be obligated only after the Secretary of State certifies and re-

ports to the Committees on Appropriations that—

(A) the Special Jurisdiction for Peace and other judicial authorities are taking effective steps to hold accountable perpetrators of gross

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1	violations of human rights in a manner con-
2	sistent with international law, including for
3	command responsibility, and sentence them to
4	deprivation of liberty;
5	(B) the Government of Colombia is taking
6	effective steps to reduce attacks against human
7	rights defenders and other civil society activists,
8	trade unionists, and journalists, and judicial au-
9	thorities are prosecuting those responsible for
10	such attacks; and
11	(C) senior military officers responsible for
12	ordering, committing, and covering up cases of
13	false positives are being held accountable, in-
14	cluding removal from active duty if found guilty
15	through criminal or disciplinary proceedings.
16	(5) Exceptions.—The limitations of para-
17	graphs (3) and (4) shall not apply to funds made
18	available for aviation instruction and maintenance,
19	and maritime and riverine security programs.
20	(c) Haiti.—
21	(1) Certification.—Funds appropriated by
22	this Act under the headings "Development Assist-
23	ance" and "Economic Support Fund" that are made
24	available for assistance for Haiti may not be made

available for assistance for the central Government

1	of Haiti unless the Secretary of State certifies and
2	reports to the Committees on Appropriations that
3	such government is taking effective steps, which are
4	steps taken since the certification and report sub-
5	mitted during the prior year, if applicable, to—
6	(A) strengthen the rule of law in Haiti, in-
7	cluding by—
8	(i) selecting judges in a transparent
9	manner based on merit;
10	(ii) reducing pre-trial detention;
11	(iii) respecting the independence of
12	the judiciary; and
13	(iv) improving governance by imple-
14	menting reforms to increase transparency
15	and accountability, including through the
16	penal and criminal codes;
17	(B) combat corruption, including by imple-
18	menting the anti-corruption law enacted in
19	2014 and prosecuting corrupt officials;
20	(C) increase government revenues, includ-
21	ing by implementing tax reforms, and increas-
22	ing expenditures on public services; and
23	(D) resolve commercial disputes between
24	United States entities and the Government of
25	Haiti.



1	(2) Haitian coast guard.—The Government
2	of Haiti shall be eligible to purchase defense articles
3	and services under the Arms Export Control Act (22
4	U.S.C. 2751 et seq.) for the Coast Guard.
5	(d) Venezuela.—Of the funds appropriated by this
6	Act under the heading "Economic Support Fund", not
7	less than \$17,500,000 shall be made available for pro-
8	grams to promote democracy and the rule of law in Ven-
9	ezuela.
10	EUROPE AND EURASIA
11	Sec. 7046. (a) Assistance.—
12	(1) Georgia.—Of the funds appropriated by
13	this Act under titles III and IV, not less than
14	\$127,025,000 shall be made available for assistance
15	for Georgia.
16	(2) Ukraine.—Of the funds appropriated by
17	this Act under titles III and IV, not less than
18	\$445,700,000 shall be made available for assistance
19	for Ukraine.
20	(b) Limitation.—None of the funds appropriated by
21	this Act may be made available for assistance for a govern-
22	ment of an Independent State of the former Soviet Union
23	if such government directs any action in violation of the
24	territorial integrity or national sovereignty of any other
25	Independent State of the former Soviet Union such as

1	those violations included in the Helsinki Final Act: $Pro-$
2	vided, That except as otherwise provided in section
3	7047(a) of this Act, funds may be made available without
4	regard to the restriction in this subsection if the President
5	determines that to do so is in the national security interest
6	of the United States: Provided further, That prior to exe-
7	cuting the authority contained in the previous proviso, the
8	Secretary of State shall consult with the Committees on
9	Appropriations on how such assistance supports the na-
10	tional security interest of the United States.
11	(c) Section 907 of the Freedom Support
12	Act.—Section 907 of the FREEDOM Support Act (22 $$
13	U.S.C. 5812 note) shall not apply to—
14	(1) activities to support democracy or assist-
15	ance under title V of the FREEDOM Support Act
16	$(22~\mathrm{U.S.C.}~5851~\mathrm{et}~\mathrm{seq.})$ and section $1424~\mathrm{of}~\mathrm{the}$
17	Defense Against Weapons of Mass Destruction Act
18	of 1996 (50 U.S.C. 2333) or non-proliferation as-
19	sistance;
20	(2) any assistance provided by the Trade and
21	Development Agency under section 661 of the For-
22	eign Assistance Act of 1961 (22 U.S.C. 2421):

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acting within his or her official capacity;

(3) any activity carried out by a member of the

United States and Foreign Commercial Service while

1	(4) any insurance, reinsurance, guarantee, or
2	other assistance provided by the Overseas Private
3	Investment Corporation under title IV of chapter 2
4	of part I of the Foreign Assistance Act of 1961 (22
5	U.S.C. 2191 et seq.);

- (5) any financing provided under the Export-Import Bank Act of 1945 (Public Law 79–173); or
- 8 (6) humanitarian assistance.

(d) Turkey.—

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(1) Turkish presidential protection di-RECTORATE.—None of the funds made available by this Act may be used to facilitate or support the sale of defense articles or defense services to the Turkish Presidential Protection Directorate (TPPD) under chapter 2 of the Arms Export Control Act (22) U.S.C. 2761 et seq.), unless the Secretary of State determines and reports to the appropriate congressional committees that members of the TPPD that are named in the July 17, 2017 indictment by the Superior Court of the District of Columbia, and against whom charges are pending, have returned to the United States to stand trial in connection with the offenses contained in such indictment or have otherwise been brought to justice: Provided, That the limitation in this paragraph shall not apply to the use of funds made available by this Act for border security purposes, for North Atlantic Treaty Organization or coalition operations, or to enhance the protection of United States officials and facilities in Turkey.

(2) Restriction on funds.—

(A) Not later than November 1, 2019, but no sooner than six months after enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall submit an update to the report required by section 1282 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) regarding the purchase by the Republic of Turkey of the S-400 missile defense system from the Russian Federation: Provided, That such report shall also include a detailed description of plans for the imposition of sanctions, if appropriate, for such purchase pursuant to section 231 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44).

(B) None of the funds appropriated by this
Act and prior Acts making appropriations for
the Department of State, foreign operations,

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1	and related programs may be made available to
2	deliver F-35 aircraft to the territory of the Re-
3	public of Turkey until the report in subpara-
4	graph (A) is submitted to the Congress.
5	COUNTERING RUSSIAN INFLUENCE AND AGGRESSION
6	Sec. 7047. (a) Limitation.—None of the funds ap-
7	propriated by this Act may be made available for assist-
8	ance for the central Government of the Russian Federa-
9	tion.
10	(b) Annexation of Crimea.—
11	(1) None of the funds appropriated by this Act
12	may be made available for assistance for the central
13	government of a country that the Secretary of State
14	determines and reports to the Committees on Appro-
15	priations has taken affirmative steps intended to
16	support or be supportive of the Russian Federation
17	annexation of Crimea or other territory in Ukraine:
18	Provided, That except as otherwise provided in sub-
19	section (a), the Secretary may waive the restriction
20	on assistance required by this paragraph if the Sec-
21	retary determines and reports to such Committees
22	that to do so is in the national interest of the United
23	States, and includes a justification for such interest.
24	(2) None of the funds appropriated by this Act
25	may be made available for—

1	(A) the implementation of any action or
2	policy that recognizes the sovereignty of the
3	Russian Federation over Crimea or other terri-
4	tory in Ukraine;
5	(B) the facilitation, financing, or guarantee
6	of United States Government investments in
7	Crimea or other territory in Ukraine under the
8	control of Russian-backed separatists, if such
9	activity includes the participation of Russian
10	Government officials, or other Russian owned
11	or controlled financial entities; or
12	(C) assistance for Crimea or other terri-
13	tory in Ukraine under the control of Russian-
14	backed separatists, if such assistance includes
15	the participation of Russian Government offi-
16	cials, or other Russian owned or controlled fi-
17	nancial entities.
18	(3) The Secretary of the Treasury shall instruct
19	the United States executive directors of each inter-
20	national financial institution to vote against any as-
21	sistance by such institution (including any loan,
22	credit, or guarantee) for any program that violates
23	the sovereignty or territorial integrity of Ukraine.
24	(4) The requirements and limitations of this

subsection shall cease to be in effect if the Secretary

1	of State determines and reports to the Committees
2	on Appropriations that the Government of Ukraine
3	has reestablished sovereignty over Crimea and other
4	territory in Ukraine under the control of Russian-
5	backed separatists.
6	(e) Occupation of the Georgian Territories of
7	ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—
8	(1) None of the funds appropriated by this Act
9	may be made available for assistance for the central
10	government of a country that the Secretary of State
11	determines and reports to the Committees on Appro-
12	priations has recognized the independence of, or has
13	established diplomatic relations with, the Russian oc-
14	cupied Georgian territories of Abkhazia and
15	Tskhinvali Region/South Ossetia: Provided, That the
16	Secretary shall publish on the Department of State
17	website a list of any such central governments in a
18	timely manner: Provided further, That the Secretary
19	may waive the restriction on assistance required by
20	this paragraph if the Secretary determines and re-
21	ports to the Committees on Appropriations that to
22	do so is in the national interest of the United States,
23	and includes a justification for such interest.
24	(2) None of the funds appropriated by this Act
25	may be made available to support the Russian occu-

Ĺ	pation	of	the	Georgian	territories	of	Abkhazia	and
2	Tskhim	vali	Reg	gion/South	Ossetia.			

- (3) The Secretary of the Treasury shall instruct the United States executive directors of each international financial institution to vote against any assistance by such institution (including any loan, credit, or guarantee) for any program that violates the sovereignty and territorial integrity of Georgia.
- (d) Countering Russian Influence Fund.—
- (1) Of the funds appropriated by this Act under the headings "Assistance for Europe, Eurasia and Central Asia", "International Narcotics Control and Law Enforcement", "International Military Education and Training", and "Foreign Military Financing Program", not less than \$275,000,000 shall be made available to carry out the purposes of the Countering Russian Influence Fund, as authorized by section 254 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44; 22 U.S.C. 9543) and notwithstanding the country limitation in subsection (b) of such section, and programs to enhance the capacity of law enforcement and security forces in countries in Europe and Eurasia and strengthen security cooperation be-

1	tween such countries and the United States and the
2	North Atlantic Treaty Organization, as appropriate
3	(2) Funds appropriated by this Act and made
4	available for assistance for the Eastern Partnership
5	countries shall be made available to advance the im-
6	plementation of Association Agreements and trade
7	agreements with the European Union, and to reduce
8	their vulnerability to external economic and political
9	pressure from the Russian Federation.
10	(e) Democracy Programs.—Funds appropriated by
11	this Act shall be made available to support democracy pro-
12	grams in the Russian Federation, including to promote
13	Internet freedom, and shall also be made available to sup-
14	port the democracy and rule of law strategy required by
15	section 7071(d) of the Department of State, Foreign Op-
16	erations, and Related Programs Appropriations Act, 2014
17	(division K of Public Law 113–76).
18	UNITED NATIONS
19	Sec. 7048. (a) Transparency and Account-
20	ABILITY.—
21	(1) Restrictions.—Of the funds appropriated
22	under title I and under the heading "International
23	Organizations and Programs" in title V of this Act
24	that are available for contributions to the United
25	Nations (including the Department of Peacekeeping

1	Operations), any United Nations agency, or the Or-
2	ganization of American States, 15 percent may not
3	be obligated for such organization, department, or
4	agency until the Secretary of State determines and
5	reports to the Committees on Appropriations that
6	the organization, department, or agency is—
7	(A) posting on a publicly available website,
8	consistent with privacy regulations and due
9	process, regular financial and programmatic au-
10	dits of such organization, department, or agen-
11	cy, and providing the United States Govern-
12	ment with necessary access to such financial
13	and performance audits;
14	(B) effectively implementing and enforcing
15	policies and procedures which reflect best prac-
16	tices for the protection of whistleblowers from
17	retaliation, including best practices for—
18	(i) protection against retaliation for
19	internal and lawful public disclosures;
20	(ii) legal burdens of proof;
21	(iii) statutes of limitation for report-
22	ing retaliation;
23	(iv) access to independent adjudicative
24	bodies, including external arbitration; and



1	(v) results that eliminate the effects of
2	proven retaliation; and
3	(C) effectively implementing and enforcing
4	policies and procedures on the appropriate use
5	of travel funds, including restrictions on first
6	class and business class travel.
7	(2) Waiver.—The restrictions imposed by or
8	pursuant to paragraph (1) may be waived on a case-
9	by-case basis if the Secretary of State determines
10	and reports to the Committees on Appropriations
11	that such waiver is necessary to avert or respond to
12	a humanitarian crisis.
13	(b) RESTRICTIONS ON UNITED NATIONS DELEGA-
14	TIONS AND ORGANIZATIONS.—
15	(1) Restrictions on united states delega-
16	TIONS.—None of the funds made available by this
17	Act may be used to pay expenses for any United
18	States delegation to any specialized agency, body, or
19	commission of the United Nations if such agency,
20	body, or commission is chaired or presided over by
21	a country, the government of which the Secretary of
22	State has determined, for purposes of section 6(j)(1)
23	of the Export Administration Act of 1979 as contin-
24	ued in effect pursuant to the International Emer-

- gency Economic Powers Act (50 U.S.C. App.
 2405(j)(1)), supports international terrorism.
- 3 (2) Restrictions on contributions.—None 4 of the funds made available by this Act may be used 5 by the Secretary of State as a contribution to any 6 organization, agency, commission, or program within 7 the United Nations system if such organization, agency, commission, or program is chaired or pre-8 9 sided over by a country the government of which the 10 Secretary of State has determined, for purposes of 11 section 620A of the Foreign Assistance Act of 1961, 12 section 40 of the Arms Export Control Act, section 13 6(j)(1) of the Export Administration Act of 1979, or 14 any other provision of law, is a government that has 15 repeatedly provided support for acts of international terrorism. 16
 - (3) WAIVER.—The Secretary of State may waive the restriction in this subsection if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national interest of the United States, including a description of the national interest served.
- (c) United Nations Human Rights Council.—
 None of the funds appropriated by this Act may be made
 available in support of the United Nations Human Rights

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- 1 Council unless the Secretary of State determines and re-
- 2 ports to the Committees on Appropriations that participa-
- 3 tion in the Council is important to the national interest
- 4 of the United States and that such Council is taking sig-
- 5 nificant steps to remove Israel as a permanent agenda
- 6 item and ensure integrity in the election of members to
- 7 such Council: Provided, That such report shall include a
- 8 description of the national interest served and the steps
- 9 taken to remove Israel as a permanent agenda item and
- 10 ensure integrity in the election of members to such Coun-
- 11 cil: Provided further, That the Secretary of State shall re-
- 12 port to the Committees on Appropriations not later than
- 13 September 30, 2019, on the resolutions considered in the
- 14 United Nations Human Rights Council during the pre-
- 15 vious 12 months, and on steps taken to remove Israel as
- 16 a permanent agenda item and ensure integrity in the elec-
- 17 tion of members to such Council.
- 18 (d) United Nations Relief and Works Agen-
- 19 CY.—Prior to the initial obligation of funds for the United
- 20 Nations Relief and Works Agency (UNRWA), the Sec-
- 21 retary of State shall report to the Committees on Appro-
- 22 priations, in writing, on whether UNRWA is—
- 23 (1) utilizing Operations Support Officers in the
- West Bank, Gaza, and other fields of operation to



1	inspect UNRWA installations and reporting any in-
2	appropriate use;
3	(2) acting promptly to address any staff or ben-
4	eficiary violation of its own policies (including the
5	policies on neutrality and impartiality of employees
6	and the legal requirements under section 301(c) or
7	the Foreign Assistance Act of 1961;
8	(3) implementing procedures to maintain the
9	neutrality of its facilities, including implementing a
10	no-weapons policy, and conducting regular inspec
11	tions of its installations, to ensure they are only
12	used for humanitarian or other appropriate pur-
13	poses;
14	(4) taking necessary and appropriate measures
15	to ensure it is operating in compliance with the con-
16	ditions of section 301(c) of the Foreign Assistance
17	Act of 1961 and continuing regular reporting to the
18	Department of State on actions it has taken to en-
19	sure conformance with such conditions;
20	(5) taking steps to ensure the content of al
21	educational materials currently taught in UNRWA
22	administered schools and summer camps is con-
23	sistent with the values of human rights, dignity, and



tolerance and does not induce incitement;

1	(6) not engaging in operations with financial in-
2	stitutions or related entities in violation of relevant
3	United States law, and is taking steps to improve
4	the financial transparency of the organization; and
5	(7) in compliance with the United Nations
6	Board of Auditors' biennial audit requirements and
7	is implementing in a timely fashion the Board's rec-
8	ommendations.
9	(e) Prohibition of Payments to United Na-
10	TIONS MEMBERS.—None of the funds appropriated or
11	made available pursuant to titles III through VI of this
12	Act for carrying out the Foreign Assistance Act of 1961
13	may be used to pay in whole or in part any assessments
14	arrearages, or dues of any member of the United Nations
15	or, from funds appropriated by this Act to carry out chap-
16	ter 1 of part I of the Foreign Assistance Act of 1961,
17	the costs for participation of another country's delegation
18	at international conferences held under the auspices of
19	multilateral or international organizations.
20	(f) Capital Projects.—Any operating plan sub-
21	mitted pursuant to this Act for funds made available
22	under the heading "Contributions to International Organi-
23	zations" shall include information on capital projects, as
24	described under such heading in House Report 115-253

1	(g) Report.—Not later than 45 days after enact-
2	ment of this Act, the Secretary of State shall submit a
3	report to the Committees on Appropriations detailing the
4	amount of funds available for obligation or expenditure in
5	fiscal year 2019 for contributions to any organization, de-
6	partment, agency, or program within the United Nations
7	system or any international program that are withheld
8	from obligation or expenditure due to any provision of law:
9	Provided, That the Secretary shall update such report
10	each time additional funds are withheld by operation of
11	any provision of law: Provided further, That the re-
12	programming of any withheld funds identified in such re-
13	port, including updates thereof, shall be subject to prior
14	consultation with, and the regular notification procedures
15	of, the Committees on Appropriations.
16	(h) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
17	KEEPING OPERATIONS.—
18	(1) In general.—Funds appropriated by this
19	Act shall be made available to implement section
20	301 of the Department of State Authorities Act,
21	Fiscal Year 2017 (Public Law 114–323).
22	(2) Withholding of funds.—The Secretary
23	of State should withhold assistance to any unit of
24	the security forces of a foreign country if the Sec-
25	retary has credible information that such unit has

1	engaged in sexual exploitation or abuse, including
2	while serving in a United Nations peacekeeping op-
3	eration, until the Secretary determines that the gov-
4	ernment of such country is taking effective steps to
5	hold the responsible members of such unit account-
6	able and to prevent future incidents: Provided, That
7	the Secretary shall promptly notify the government
8	of each country subject to any withholding of assist-
9	ance pursuant to this paragraph, and shall notify
10	the appropriate congressional committees of such
11	withholding not later than 10 days after a deter-
12	mination to withhold such assistance is made: Pro-
13	vided further, That the Secretary shall, to the max-
14	imum extent practicable, assist such government in
15	bringing the responsible members of such unit to
16	justice.
17	(i) Additional Availability.—Subject to the reg-
18	ular notification procedures of the Committees on Appro-
19	priations, funds appropriated by this Act which are re-
20	turned or not made available due to the implementation
21	of subsection (a), the second proviso under the heading
22	"Contributions for International Peacekeeping Activities"
23	in title I of this Act, or section 307(a) of the Foreign As-
24	sistance Act of 1961 (22 U.S.C. 2227(a)), shall remain
25	available for obligation until September 30, 2020: Pro-



- 1 vided, That the requirement to withhold funds for pro-
- 2 grams in Burma under section 307(a) of the Foreign As-
- 3 sistance Act of 1961 shall not apply to funds appropriated
- 4 by this Act.
- 5 (j) National Security Interest With-
- 6 HOLDING.—
- 7 (1) WITHHOLDING.—The Secretary of State
- 8 shall withhold 5 percent of the funds appropriated
- 9 by this Act under the heading "Contributions to
- 10 International Organizations" for a specialized agen-
- cy or other entity of the United Nations if the Sec-
- retary, in consultation with the United States Am-
- bassador to the United Nations, determines and re-
- ports to the Committees on Appropriations that such
- agency or entity has taken an official action that is
- against the national security interest of the United
- 17 States or an ally of the United States, including
- 18 Israel.
- 19 (2) Release of funds.—The Secretary of
- 20 State, in consultation with the United States Am-
- bassador to the United Nations, may release funds
- withheld pursuant to paragraph (1) if the Secretary
- 23 determines and reports to the Committees on Appro-
- 24 priations that such agency or entity is taking steps

1	to address the action that resulted in the with-
2	holding of such funds.
3	(3) Reprogramming.—Should the Secretary of
4	State be unable to make a determination pursuant
5	to paragraph (2) regarding the release of withheld
6	funds, such funds may be reprogrammed for other
7	purposes under the heading "Contributions to Inter-
8	national Organizations".
9	(4) Waiver.—The Secretary of State, following
10	consultation with the Committees on Appropriations,
11	may waive the requirements of this subsection if the
12	Secretary determines that to do so in the national
13	interest.
14	(k) Transfer of Funds.—Of the funds appro-
15	priated by this Act under the heading "Economic Support
16	Fund", $\$25,000,000$ shall be transferred to, and merged
17	with, funds appropriated under the heading "International $$ "
18	Organizations and Programs", of which $\$23,000,000$ shall
19	be for a contribution to support the United Nations resi-
20	dent coordinator system and $$2,000,000$ shall be for a
21	contribution to the Montreal Protocol Multilateral Fund.
22	LAW ENFORCEMENT AND SECURITY
23	Sec. 7049. (a) Assistance.—
24	(1) COMMUNITY-BASED POLICE ASSISTANCE.—
25	Funds made available under titles III and IV of this

1 Act to carry out the provisions of chapter 1 of part 2 I and chapters 4 and 6 of part II of the Foreign As-3 sistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness 5 accountability of civilian police authority 6 through training and technical assistance in human 7 rights, the rule of law, anti-corruption, strategic 8 planning, and through assistance to foster civilian 9 police roles that support democratic governance, in-10 cluding assistance for programs to prevent conflict, 11 respond to disasters, address gender-based violence, 12 and foster improved police relations with the com-13 munities they serve.

(2) Combat Casualty Care.—

- (A) Consistent with the objectives of the Foreign Assistance Act of 1961 and the Arms Export Control Act, funds appropriated by this Act under the headings "Peacekeeping Operations" and "Foreign Military Financing Program" shall be made available for combat casualty training and equipment.
- (B) The Secretary of State shall offer combat casualty care training and equipment as a component of any package of lethal assistance funded by this Act with funds appropriated



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under the headings "Peacekeeping Operations"
and "Foreign Military Financing Program":
Provided, That the requirement of this subpara-
graph shall apply to a country in conflict, un-
less the Secretary determines that such country
has in place, to the maximum extent prac-
ticable, functioning combat casualty care treat-
ment and equipment that meets or exceeds the
standards recommended by the Committee on
Tactical Combat Casualty Care: Provided fur-
ther, That any such training and equipment for
combat casualty care shall be made available
through an open and transparent process.

(3) Counterterrorism partnerships fund.—Funds appropriated by this Act under the heading Nonproliferation, Anti-terrorism, Demining and Related Programs shall be made available for the Counterterrorism Partnerships Fund for programs in areas liberated from, under the influence of, or adversely affected by, the Islamic State of Iraq and Syria or other terrorist organizations: *Provided*, That such areas shall include the Kurdistan Region of Iraq: *Provided further*, That prior to the obligation of funds made available pursuant to this paragraph, the Secretary of State shall take all prac-

l	ticable steps to ensure that mechanisms are in place
2	for monitoring, oversight, and control of such funds:
3	Provided further, That funds made available pursu-
4	ant to this paragraph shall be subject to prior con-
5	sultation with the appropriate congressional commit-
5	tees, and the regular notification procedures of the
7	Committees on Appropriations.

- TRAINING RELATED TO INTERNATIONAL HUMANITARIAN LAW.—The Secretary of State shall offer training related to the requirements of international humanitarian law as a component of any package of lethal assistance funded by this Act with funds appropriated under the headings "Peacekeeping Operations" and "Foreign Military Financing Program": Provided, That the requirement of this paragraph shall not apply to a country that is a member of the North Atlantic Treaty Organization (NATO), is a major non-NATO ally designated by section 517(b) of the Foreign Assistance Act of 1961, or is complying with international humanitarian law: Provided further, That any such training shall be made available through an open and transparent process.
- (5) SECURITY FORCE PROFESSIONALIZATION.—
 Funds appropriated by this Act under the headings

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"International Narcotics Control and Law Enforcement" and "Peacekeeping Operations" shall be made available to increase the capacity of foreign military and law enforcement personnel to operate in accordance with appropriate standards relating to human rights and the protection of civilians in the manner specified under this section in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), following consultation with the Committees on Appropriations: *Provided*, That funds made available pursuant to this paragraph shall only be made available on an open and competitive basis.

(b) Authorities.—

- (1) Reconstituting civilian police authority.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.
- (2) DISARMAMENT, DEMOBILIZATION, AND RE-INTEGRATION.—Section 7034(d) of the Department of State, Foreign Operations, and Related Programs

1	Appropriations Act, 2015 (division J of Public Law
2	113–235) shall continue in effect during fiscal year
3	2019.
4	(3) International prison conditions.—Of
5	the funds appropriated by this Act under the head-
6	ings "Development Assistance", "Economic Support
7	Fund", and "International Narcotics Control and
8	Law Enforcement", not less than $$5,000,000$ shall
9	be made available for assistance to eliminate inhu-
10	mane conditions in foreign prisons and other deten-
11	tion facilities, notwithstanding section 660 of the
12	Foreign Assistance Act of 1961: Provided, That the
13	Secretary of State and the USAID Administrator
14	shall consult with the Committees on Appropriations
15	on the proposed uses of such funds prior to obliga-
16	tion and not later than 120 days after enactment of
17	this Act: Provided further, That such funds shall be
18	in addition to funds otherwise made available by this
19	Act for such purpose.
20	(4) Extension of war reserves stockpile
21	AUTHORITY.—
22	(A) Section 12001(d) of the Department of
23	Defense Appropriations Act, 2005 (Public Law
24	108–287; 118 Stat. 1011) is amended by strik-
25	ing "of this section" and all that follows



1	through the period at the end and inserting "of
2	this section after September 30, 2020.".
3	(B) Section 514(b)(2)(A) of the Foreign
4	Assistance Act of 1961 (22 U.S.C.
5	2321h(b)(2)(A)) is amended by striking "and
6	2019" and inserting "2019, and 2020".
7	(5) Commercial leasing of defense arti-
8	CLES.—Notwithstanding any other provision of law,
9	and subject to the regular notification procedures of
10	the Committees on Appropriations, the authority of
11	section 23(a) of the Arms Export Control Act may
12	be used to provide financing to Israel, Egypt, the
13	North Atlantic Treaty Organization (NATO), and
14	major non-NATO allies for the procurement by leas-
15	ing (including leasing with an option to purchase) of
16	defense articles from United States commercial sup-
17	pliers, not including Major Defense Equipment
18	(other than helicopters and other types of aircraft
19	having possible civilian application), if the President
20	determines that there are compelling foreign policy
21	or national security reasons for those defense arti-
22	cles being provided by commercial lease rather than
23	by government-to-government sale under such Act.
24	(6) Special defense acquisition fund.—
25	Not to exceed \$900,000,000 may be obligated pursu-

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ant to section 51(c)(2) of the Arms Export Control Act for the purposes of the Special Defense Acquisition Fund (the Fund), to remain available for obligation until September 30, 2021: *Provided*, That the provision of defense articles and defense services to foreign countries or international organizations from the Fund shall be subject to the concurrence of the Secretary of State.

(7) Public disclosure.—For the purposes of funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for units of foreign security forces, the term "to the maximum extent practicable" in section 620M(d)(7) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) means that the identity of such units shall be made publicly available unless the Secretary of State, on a case-by-case basis, determines and reports to the appropriate congressional committees that disclosure would endanger the safety of human sources or reveal sensitive intelligence sources and methods, or that non-disclosure is in the national security interest of the United States: Provided, That any such determination shall

1	include a detailed justification, and may be sub-
2	mitted in classified form.
3	(c) Limitations.—
4	(1) Child soldiers.—Funds appropriated by
5	this Act should not be used to support any military
6	training or operations that include child soldiers.
7	(2) Landmines and cluster munitions.—
8	(A) Landmines.—Notwithstanding any
9	other provision of law, demining equipment
10	available to the United States Agency for Inter-
11	national Development and the Department of
12	State and used in support of the clearance of
13	landmines and unexploded ordnance for human-
14	itarian purposes may be disposed of on a grant
15	basis in foreign countries, subject to such terms
16	and conditions as the Secretary of State may
17	prescribe.
18	(B) Cluster munitions.—No military
19	assistance shall be furnished for cluster muni-
20	tions, no defense export license for cluster mu-
21	nitions may be issued, and no cluster munitions
22	or cluster munitions technology shall be sold or
23	transferred, unless—
24	(i) the submunitions of the cluster
25	munitions, after arming, do not result in

1	more than 1 percent unexploded ordnance
2	across the range of intended operational
3	environments, and the agreement applica-
4	ble to the assistance, transfer, or sale of
5	such cluster munitions or cluster munitions
6	technology specifies that the cluster muni-
7	tions will only be used against clearly de-
8	fined military targets and will not be used
9	where civilians are known to be present or
10	in areas normally inhabited by civilians; or
11	(ii) such assistance, license, sale, or
12	transfer is for the purpose of demilitarizing
13	or permanently disposing of such cluster
14	munitions.
15	(3) Crowd control items.—Funds appro-
16	priated by this Act should not be used for tear gas,
17	small arms, light weapons, ammunition, or other
18	items for crowd control purposes for foreign security
19	forces that use excessive force to repress peaceful ex-
20	pression, association, or assembly in countries that
21	the Secretary of State determines are undemocratic
22	or are undergoing democratic transitions.
23	(d) Reports.—
24	(1) Security assistance report.—Not later
25	than 120 days after enactment of this Act, the Sec-

retary of State shall submit to the Committees on
Appropriations a report on funds obligated and ex-
pended during fiscal year 2018, by country and pur-
pose of assistance, under the headings "Peace-
keeping Operations", "International Military Edu-
cation and Training", and "Foreign Military Fi-
nancing Program".

(2) Quarterly Status Report.—Following the submission of the quarterly report required by section 36 of Public Law 90–629 (22 U.S.C. 2776), the Secretary of State, in coordination with the Secretary of Defense, shall submit to the Committees on Appropriations a status report that contains the information described under the heading "Foreign Military Financing Program" in House Report 115–829.

(3) Vetting report.—

(A) In general.—Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees on foreign assistance cases submitted for vetting for purposes of section 620M of the Foreign Assistance Act of 1961 during the preceding fiscal year, including—

1	(i) the total number of cases sub-
2	mitted, approved, suspended, or rejected
3	for human rights reasons; and
4	(ii) for cases rejected, a description of
5	the steps taken to assist the foreign gov-
6	ernment in taking effective measures to
7	bring the responsible members of the secu-
8	rity forces to justice, in accordance with
9	section 620M(c) of the Foreign Assistance
10	Act of 1961.
11	(B) FORM.—The report required by this
12	paragraph shall be submitted in unclassified
13	form, but may be accompanied by a classified
14	annex.
15	(4) Annual foreign military training re-
16	PORT.—For the purposes of implementing section
17	656 of the Foreign Assistance Act of 1961, the term
18	"military training provided to foreign military per-
19	sonnel by the Department of Defense and the De-
20	partment of State" shall be deemed to include all
21	military training provided by foreign governments
22	with funds appropriated to the Department of De-
23	fense or the Department of State, except for train-
24	ing provided by the government of a country des-

1	ignated	by	section	517(b)	of	such	Act	as	a	major
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- 2 non-NATO ally.
- 3 ARMS TRADE TREATY
- 4 Sec. 7050. None of the funds appropriated by this
- 5 Act may be obligated or expended to implement the Arms
- 6 Trade Treaty until the Senate approves a resolution of
- 7 ratification for the Treaty.
- 8 INTERNATIONAL CONFERENCES
- 9 Sec. 7051. None of the funds made available in this
- 10 Act may be used to send or otherwise pay for the attend-
- 11 ance of more than 50 employees of agencies or depart-
- 12 ments of the United States Government who are stationed
- 13 in the United States, at any single international con-
- 14 ference occurring outside the United States, unless the
- 15 Secretary of State reports to the Committees on Appro-
- 16 priations at least 5 days in advance that such attendance
- 17 is important to the national interest: Provided, That for
- 18 purposes of this section the term "international con-
- 19 ference" shall mean a conference attended by representa-
- 20 tives of the United States Government and of foreign gov-
- 21 ernments, international organizations, or nongovern-
- 22 mental organizations.
- 23 AIRCRAFT TRANSFER, COORDINATION, AND USE
- 24 Sec. 7052. (a) Transfer Authority.—Notwith-
- 25 standing any other provision of law or regulation, aircraft



- 1 procured with funds appropriated by this Act and prior
- 2 Acts making appropriations for the Department of State,
- 3 foreign operations, and related programs under the head-
- 4 ings "Diplomatic Programs", "International Narcotics
- 5 Control and Law Enforcement", "Andean Counterdrug
- 6 Initiative", and "Andean Counterdrug Programs" may be
- 7 used for any other program and in any region.
- 8 (b) Property Disposal.—The authority provided
- 9 in subsection (a) shall apply only after the Secretary of
- 10 State determines and reports to the Committees on Appro-
- 11 priations that the equipment is no longer required to meet
- 12 programmatic purposes in the designated country or re-
- 13 gion: Provided, That any such transfer shall be subject
- 14 to prior consultation with, and the regular notification
- 15 procedures of, the Committees on Appropriations.
- 16 (c) Aircraft Coordination.—
- 17 (1) Authority.—The uses of aircraft pur-
- 18 chased or leased by the Department of State and the
- 19 United States Agency for International Development
- with funds made available in this Act or prior Acts
- 21 making appropriations for the Department of State,
- foreign operations, and related programs shall be co-
- ordinated under the authority of the appropriate
- 24 Chief of Mission: *Provided*, That notwithstanding
- section 7006(b) of this Act, such aircraft may be

1	used to transport, on a reimbursable or non-reim-
2	bursable basis, Federal and non-Federal personnel
3	supporting Department of State and USAID pro-
4	grams and activities: Provided further, That official
5	travel for other agencies for other purposes may be
6	supported on a reimbursable basis, or without reim-
7	bursement when traveling on a space available basis:
8	Provided further, That funds received by the Depart-
9	ment of State in connection with the use of aircraft
10	owned, leased, or chartered by the Department of
11	State may be credited to the Working Capital Fund
12	of the Department and shall be available for ex-
13	penses related to the purchase, lease, maintenance,
14	chartering, or operation of such aircraft.
15	(2) Scope.—The requirement and authorities
16	of this subsection shall only apply to aircraft, the
17	primary purpose of which is the transportation of
18	personnel.
19	(d) Aircraft Operations and Maintenance.—

- 20 To the maximum extent practicable, the costs of oper-
- ations and maintenance, including fuel, of aircraft funded
- 22 by this Act shall be borne by the recipient country.

1	PARKING FINES AND REAL PROPERTY TAXES OWED BY
2	FOREIGN GOVERNMENTS
3	Sec. 7053. The terms and conditions of section 7055
4	of the Department of State, Foreign Operations, and Re-
5	lated Programs Appropriations Act, 2010 (division F of
6	Public Law 111–117) shall apply to this Act: Provided,
7	That the date "September 30, 2009" in subsection
8	(f)(2)(B) of such section shall be deemed to be "Sep-
9	tember 30, 2018".
10	INTERNATIONAL MONETARY FUND
11	Sec. 7054. (a) Extensions.—The terms and condi-
12	tions of sections 7086(b) (1) and (2) and 7090(a) of the
13	Department of State, Foreign Operations, and Related
14	Programs Appropriations Act, 2010 (division F of Public
15	Law 111–117) shall apply to this Act.
16	(b) Repayment.—The Secretary of the Treasury
17	shall instruct the United States Executive Director of the
18	International Monetary Fund (IMF) to seek to ensure
19	that any loan will be repaid to the IMF before other pri-
20	vate or multilateral creditors.
21	PROHIBITION ON PUBLICITY OR PROPAGANDA

- 22 Sec. 7055. No part of any appropriation contained
- in this Act shall be used for publicity or propaganda pur-
- poses within the United States not authorized before the
- 25 date of the enactment of this Act by Congress: Provided,



- 1 That not to exceed \$25,000 may be made available to
- 2 carry out the provisions of section 316 of the International
- 3 Security and Development Cooperation Act of 1980 (Pub-
- 4 lic Law 96–533; 22 U.S.C. 2151a note).
- 5 DISABILITY PROGRAMS
- 6 Sec. 7056. (a) Assistance.—Funds appropriated by
- 7 this Act under the heading "Economic Support Fund"
- 8 shall be made available for programs and activities admin-
- 9 istered by the United States Agency for International De-
- 10 velopment to address the needs and protect and promote
- 11 the rights of people with disabilities in developing coun-
- 12 tries, including initiatives that focus on independent living,
- 13 economic self-sufficiency, advocacy, education, employ-
- 14 ment, transportation, sports, and integration of individ-
- 15 uals with disabilities, including for the cost of translation.
- 16 (b) Management, Oversight, and Technical
- 17 Support.—Of the funds made available pursuant to this
- 18 section, 5 percent may be used for USAID for manage-
- 19 ment, oversight, and technical support.
- 20 UNITED STATES AGENCY FOR INTERNATIONAL
- 21 DEVELOPMENT MANAGEMENT
- 22 Sec. 7057. (a) Authority.—Up to \$93,000,000 of
- 23 the funds made available in title III of this Act pursuant
- 24 to or to carry out the provisions of part I of the Foreign
- 25 Assistance Act of 1961, including funds appropriated



- 1 under the heading "Assistance for Europe, Eurasia and
- 2 Central Asia", may be used by the United States Agency
- 3 for International Development to hire and employ individ-
- 4 uals in the United States and overseas on a limited ap-
- 5 pointment basis pursuant to the authority of sections 308
- 6 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
- 7 3948 and 3949).
- 8 (b) Restrictions.—
- 9 (1) The number of individuals hired in any fis-
- 10 cal year pursuant to the authority contained in sub-
- section (a) may not exceed 175.
- 12 (2) The authority to hire individuals contained
- in subsection (a) shall expire on September 30,
- 14 2020.
- (c) Conditions.—The authority of subsection (a)
- 16 should only be used to the extent that an equivalent num-
- 17 ber of positions that are filled by personal services contrac-
- 18 tors or other non-direct hire employees of USAID, who
- 19 are compensated with funds appropriated to carry out part
- 20 I of the Foreign Assistance Act of 1961, including funds
- 21 appropriated under the heading "Assistance for Europe,
- 22 Eurasia and Central Asia", are eliminated.
- 23 (d) Program Account Charged.—The account
- 24 charged for the cost of an individual hired and employed
- 25 under the authority of this section shall be the account



- 1 to which the responsibilities of such individual primarily
- 2 relate: Provided, That funds made available to carry out
- 3 this section may be transferred to, and merged with, funds
- 4 appropriated by this Act in title II under the heading "Op-
- 5 erating Expenses".
- 6 (e) Foreign Service Limited Extensions.—Indi-
- 7 viduals hired and employed by USAID, with funds made
- 8 available in this Act or prior Acts making appropriations
- 9 for the Department of State, foreign operations, and re-
- 10 lated programs, pursuant to the authority of section 309
- 11 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may
- 12 be extended for a period of up to 4 years notwithstanding
- 13 the limitation set forth in such section.
- 14 (f) Disaster Surge Capacity.—Funds appro-
- 15 priated under title III of this Act to carry out part I of
- 16 the Foreign Assistance Act of 1961, including funds ap-
- 17 propriated under the heading "Assistance for Europe,
- 18 Eurasia and Central Asia", may be used, in addition to
- 19 funds otherwise available for such purposes, for the cost
- 20 (including the support costs) of individuals detailed to or
- 21 employed by USAID whose primary responsibility is to
- 22 carry out programs in response to natural disasters, or
- 23 man-made disasters subject to the regular notification
- 24 procedures of the Committees on Appropriations.



- 1 (g) Personal Services Contractors.—Funds ap-
- 2 propriated by this Act to carry out chapter 1 of part I,
- 3 chapter 4 of part II, and section 667 of the Foreign As-
- 4 sistance Act of 1961, and title II of the Food for Peace
- 5 Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be
- 6 used by USAID to employ up to 40 personal services con-
- 7 tractors in the United States, notwithstanding any other
- 8 provision of law, for the purpose of providing direct, in-
- 9 terim support for new or expanded overseas programs and
- 10 activities managed by the agency until permanent direct
- 11 hire personnel are hired and trained: Provided, That not
- 12 more than 15 of such contractors shall be assigned to any
- 13 bureau or office: Provided further, That such funds appro-
- 14 priated to carry out title II of the Food for Peace Act
- 15 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made
- 16 available only for personal services contractors assigned
- 17 to the Office of Food for Peace.
- 18 (h) SMALL BUSINESS.—In entering into multiple
- 19 award indefinite-quantity contracts with funds appro-
- 20 priated by this Act, USAID may provide an exception to
- 21 the fair opportunity process for placing task orders under
- 22 such contracts when the order is placed with any category
- 23 of small or small disadvantaged business.
- 24 (i) Senior Foreign Service Limited Appoint-
- 25 Ments.—Individuals hired pursuant to the authority pro-



- 1 vided by section 7059(o) of the Department of State, For-
- 2 eign Operations, and Related Programs Appropriations
- 3 Act, 2010 (division F of Public Law 111–117) may be
- 4 assigned to or support programs in Afghanistan or Paki-
- 5 stan with funds made available in this Act and prior Acts
- 6 making appropriations for the Department of State, for-
- 7 eign operations, and related programs.
- 8 GLOBAL HEALTH ACTIVITIES
- 9 Sec. 7058. (a) In General.—Funds appropriated
- 10 by titles III and IV of this Act that are made available
- 11 for bilateral assistance for child survival activities or dis-
- 12 ease programs including activities relating to research on,
- 13 and the prevention, treatment and control of, HIV/AIDS
- 14 may be made available notwithstanding any other provi-
- 15 sion of law except for provisions under the heading "Glob-
- 16 al Health Programs" and the United States Leadership
- 17 Against HIV/AIDS, Tuberculosis, and Malaria Act of
- 18 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
- 19 ed: Provided, That of the funds appropriated under title
- 20 III of this Act, not less than \$575,000,000 should be made
- 21 available for family planning/reproductive health, includ-
- 22 ing in areas where population growth threatens biodiver-
- 23 sity or endangered species.
- 24 (b) GLOBAL FUND.—Of the funds appropriated by
- 25 this Act that are available for a contribution to the Global



1	Fund to Fight AIDS, Tuberculosis and Malaria (Globa
2	Fund), 10 percent should be withheld from obligation until
3	the Secretary of State determines and reports to the Com-
4	mittees on Appropriations that the Global Fund is—
5	(1) maintaining and implementing a policy of
6	transparency, including the authority of the Globa
7	Fund Office of the Inspector General (OIG) to pub-
8	lish OIG reports on a public website;
9	(2) providing sufficient resources to maintain
10	an independent OIG that—
11	(A) reports directly to the Board of the
12	Global Fund;
13	(B) maintains a mandate to conduct thor-
14	ough investigations and programmatic audits
15	free from undue interference; and
16	(C) compiles regular, publicly published
17	audits and investigations of financial, pro-
18	grammatic, and reporting aspects of the Globa
19	Fund, its grantees, recipients, sub-recipients
20	and Local Fund Agents;
21	(3) effectively implementing and enforcing poli-
22	cies and procedures which reflect best practices for
23	the protection of whistleblowers from retaliation, in-
24	cluding best practices for—

1	(A) protection against retaliation for inter-
2	nal and lawful public disclosures;
3	(B) legal burdens of proof;
4	(C) statutes of limitation for reporting re-
5	taliation;
6	(D) access to independent adjudicative
7	bodies, including external arbitration; and
8	(E) results that eliminate the effects of
9	proven retaliation:
10	Provided, That such withholding shall not be in ad-
11	dition to funds that are withheld from the Global
12	Fund in fiscal year 2019 pursuant to the application
13	of any other provision contained in this or any other
14	Aet.
15	(c) Contagious Infectious Disease Out-
16	BREAKS.—
17	(1) Extraordinary measures.—If the Sec-
18	retary of State determines and reports to the Com-
19	mittees on Appropriations that an international in-
20	fectious disease outbreak is sustained, severe, and is
21	spreading internationally, or that it is in the na-
22	tional interest to respond to a Public Health Emer-
23	gency of International Concern, funds appropriated
24	by this Act under the headings "Global Health Pro-
25	orams" "Develonment Assistance" "International



1	Disaster Assistance", "Complex Crises Fund",
2	"Economic Support Fund", "Democracy Fund",
3	"Assistance for Europe, Eurasia and Central Asia",
4	"Migration and Refugee Assistance", and "Millen-
5	nium Challenge Corporation" may be made available
6	to combat such infectious disease or public health
7	emergency, and may be transferred to, and merged
8	with, funds appropriated under such headings for
9	the purposes of this paragraph.
10	(2) Consultation and notification.—
11	Funds made available by this subsection shall be
12	subject to prior consultation with the appropriate
13	congressional committees, and the regular notifica-
14	tion procedures of the Committees on Appropria-
15	tions.
16	(d) Repurposed Funds.—
17	(1) Uses.—Of the unobligated balances avail-
18	able under the heading "Bilateral Economic Assist-
19	ance" in title IX of the Department of State, For-
20	eign Operations, and Related Programs Appropria-
21	tions Act, 2015 (division J of Public Law 113-
22	235)—
23	(A) \$38,000,000 shall be for programs to
24	accelerate the capabilities of targeted countries
	· · · · · · · · · · · · · · · · · · ·

1	to prevent, detect, and respond to infectious
2	disease outbreaks; and
3	(B) \$2,000,000 shall be made available for
4	the Emergency Reserve Fund established pur-
5	suant to section 7058(c)(1) of the Department
6	of State, Foreign Operations, and Related Pro-
7	grams Appropriations Act, 2017 (division J of
8	Public Law 115-31) and shall be made avail-
9	able under the same terms and conditions of
10	such section: Provided, That the second provise
11	of such paragraph is amended by striking "Sec-
12	retary of State" and inserting in lieu thereof
13	"Administrator of the United States Agency for
14	International Development".
15	(2) Consultation and notification.—
16	Funds made available by this subsection shall be
17	subject to prior consultation with, and the regular
18	notification procedures of, the Committees on Ap-
19	propriations.
20	(3) Transfer between accounts.—Funds
21	made available pursuant to this subsection under the
22	headings "Global Health Programs" and "Inter-
23	national Disaster Assistance' may be transferred to
24	and merged with, funds made available under such

headings: Provided, That such transfer authority is

1	in addition to any other transfer authority provided
2	by law.
3	(4) Clarification.—Funds made available
4	pursuant to this subsection are in addition to funds
5	otherwise made available for such purposes.
6	(5) Designation.—The amounts repurposed
7	under this subsection are designated by the Con-
8	gress as an emergency requirement pursuant to sec-
9	tion $251(b)(2)(A)(i)$ of the Balanced Budget and
10	Emergency Deficit Control Act of 1985 and shall be
11	available only if the President subsequently so des-
12	ignates all such amounts and transmits such des-
13	ignations to the Congress.
14	GENDER EQUALITY
15	Sec. 7059. (a) Gender Equality.—Funds appro-
16	priated by this Act shall be made available to promote gen-
17	der equality in United States Government diplomatic and
18	development efforts by raising the status, increasing the
19	participation, and protecting the rights of women and girls
20	worldwide.
21	(b) Women's Leadership.—Of the funds appro-
22	priated by title III of this Act, not less than $$50,000,000$
23	shall be made available for programs specifically designed
24	to increase leadership opportunities for women in coun-
25	tries where women and girls suffer discrimination due to

1	law, policy, or practice, by strengthening protections for
2	women's political status, expanding women's participation
3	in political parties and elections, and increasing women's
4	opportunities for leadership positions in the public and
5	private sectors at the local, provincial, and national levels
6	(c) GENDER-BASED VIOLENCE.—
7	(1)(A) Of the funds appropriated under titles
8	III and IV of this Act, not less than \$150,000,000
9	shall be made available to implement a multi-year
10	strategy to prevent and respond to gender-based vio-
11	lence in countries where it is common in conflict and
12	non-conflict settings.
13	(B) Funds appropriated under titles III and IV
14	of this Act that are available to train foreign police
15	judicial, and military personnel, including for inter-
16	national peacekeeping operations, shall address
17	where appropriate, prevention and response to gen-
18	der-based violence and trafficking in persons, and
19	shall promote the integration of women into the po-
20	lice and other security forces.
21	(2) Department of State and United States
22	Agency for International Development gender pro-
23	grams shall incorporate coordinated efforts to com-

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bat a variety of forms of gender-based violence, in-

cluding child marriage, rape, female genital cutting

- and mutilation, and domestic violence, among other
- 2 forms of gender-based violence in conflict and non-
- 3 conflict settings.
- 4 (d) Women, Peace, and Security.—Funds appro-
- 5 priated by this Act under the headings "Development As-
- 6 sistance", "Economic Support Fund", "Assistance for Eu-
- 7 rope, Eurasia and Central Asia", and "International Nar-
- 8 cotics Control and Law Enforcement" should be made
- 9 available to support a multi-year strategy to expand, and
- 10 improve coordination of, United States Government ef-
- 11 forts to empower women as equal partners in conflict pre-
- 12 vention, peace building, transitional processes, and recon-
- 13 struction efforts in countries affected by conflict or in po-
- 14 litical transition, and to ensure the equitable provision of
- 15 relief and recovery assistance to women and girls.
- 16 (e) Women and Girls at Risk From Extre-
- 17 MISM.—Of the funds appropriated by this Act under the
- 18 heading "Economic Support Fund", not less than
- 19 \$15,000,000 shall be made available to support women
- 20 and girls who are at risk from extremism and conflict, and
- 21 for the activities described in section 7059(e)(1) of the De-
- 22 partment of State, Foreign Operations, and Related Pro-
- 23 grams Appropriations Act, 2018 (division K of Public Law
- 24 115-141): Provided, That such funds are in addition to
- 25 amounts otherwise made available by this Act for such



1	purposes, and shall be made available following consulta-
2	tion with, and the regular notification procedures of, the
3	Committees on Appropriations.
4	SECTOR ALLOCATIONS
5	Sec. 7060. (a) Basic Education and Higher
6	EDUCATION.—
7	(1) Basic education.—
8	(A) Of the funds appropriated under title
9	III of this Act, not less than \$800,000,000
10	shall be made available for assistance for basic
11	education, and such funds may be made avail-
12	able notwithstanding any other provision of law
13	that restricts assistance to foreign countries:
14	Provided, That such funds shall also be used
15	for secondary education activities: Provided fur-
16	ther, That notifications submitted for basic edu-
17	cation programs should, as applicable, describe
18	activities conducted in support of non-state
19	schools: Provided further, That the Adminis-
20	trator of the United States Agency for Inter-
21	national Development, following consultation
22	with the Committees on Appropriations, may
23	reprogram such funds between countries.
24	(B) Not later than 30 days after enact-
25	ment of this Act, the USAID Administrator

shall report to the Committees on Appropria-
tions on the status of cumulative unobligated
balances and obligated, but unexpended, bal-
ances in each country where USAID provides
basic education assistance and such report shall
also include details on the types of contracts
and grants provided and the goals and objec-
tives of such assistance: Provided, That the
USAID Administrator shall update such report
on a quarterly basis until September 30, 2020:
Provided further, That if the USAID Adminis-
trator determines that any unobligated balances
of funds specifically designated for assistance
for basic education in prior Acts making appro-
priations for the Department of State, foreign
operations, and related programs are in excess
of the absorptive capacity of recipient countries,
such funds may be made available for other
programs authorized under chapter 1 of part I
of the Foreign Assistance Act of 1961, notwith-
standing such funding designation: Provided
further, That the authority of the previous pro-
viso shall be subject to prior consultation with,
and the regular notification procedures of, the
Committees on Appropriations.



1	(C) Of the funds appropriated under title
2	III of this Act for assistance for basic education
3	programs, not less than \$90,000,000 shall be
4	made available for a contribution to multilateral
5	partnerships that support education.
6	(2) Higher education.—Of the funds appro-
7	priated by title III of this Act, not less than
8	\$235,000,000 shall be made available for assistance
9	for higher education: Provided, That such funds may
10	be made available notwithstanding any other provi-
11	sion of law that restricts assistance to foreign coun-
12	tries, and shall be subject to the regular notification
13	procedures of the Committees on Appropriations:
14	Provided further, That of such amount, not less than
15	\$35,000,000 shall be made available for human and
16	institutional capacity building partnerships between
17	higher education institutions in the United States
18	and developing countries, of which not less than
19	\$15,000,000 shall be for new partnerships: $Provided$
20	further, That not later than 45 days after enactment
21	of this Act, the USAID Administrator shall consult
22	with the Committees on Appropriations on the pro-
23	posed uses of funds for such partnerships.
24	(b) Development Programs.—Of the funds appro-
25	priated by this Act under the heading "Development As-

1	sistance", not less than $$12,000,000$ shall be made avail-
2	able for cooperative development programs of USAID, and
3	not less than $\$30,000,000$ shall be made available for the
4	American Schools and Hospitals Abroad program: $Pro-$
5	vided, That any substantive modifications from the prior
6	fiscal year to the evaluation methodology or criteria for
7	selecting grantees for the American Schools and Hospitals
8	Abroad program shall be subject to prior consultation with
9	the Committees on Appropriations.
10	(c) Environment Programs.—
11	(1) Authority and notification.—
12	(A) Funds appropriated by this Act to
13	carry out the provisions of sections 103 through
14	106, and chapter 4 of part II, of the Foreign
15	Assistance Act of 1961 may be used, notwith-
16	standing any other provision of law, except for
17	the provisions of this subsection, to support en-
18	vironment programs.
19	(B) Funds made available pursuant to this
20	subsection shall be subject to the regular notifi-
21	cation procedures of the Committees on Appro-
22	priations.
23	(C) None of the funds in this Act are ap-
24	propriated or otherwise made available for a

1	contribution, grant, or any other payment for
2	the Green Climate Fund.
3	(2) Conservation programs and limita-
4	TIONS.—
5	(A) Of the funds appropriated under title
6	III of this Act, not less than \$285,000,000
7	shall be made available for biodiversity con-
8	servation programs.
9	(B) Not less than \$90,664,000 of the
10	funds appropriated under titles III and IV of
11	this Act shall be made available to combat the
12	transnational threat of wildlife poaching and
13	trafficking.
14	(C) None of the funds appropriated under
15	title IV of this Act may be made available for
16	training or other assistance for any military
17	unit or personnel that the Secretary of State
18	determines has been credibly alleged to have
19	participated in wildlife poaching or trafficking,
20	unless the Secretary reports to the appropriate
21	congressional committees that to do so is in the
22	national security interest of the United States.
23	(D) Funds appropriated by this Act for
24	biodiversity programs shall not be used to sup-
25	port the expansion of industrial scale logging or

1	any other industrial scale extractive activity
2	into areas that were primary/intact tropical for-
3	ests as of December 30, 2013, and the Sec-
4	retary of the Treasury shall instruct the United
5	States executive directors of each international
5	financial institutions (IFI) to vote against any
7	financing of any such activity.

- (3) Large dams.—The Secretary of the Treasury shall instruct the United States executive director of each IFI that it is the policy of the United States to vote in relation to any loan, grant, strategy, or policy of such institution to support the construction of any large dam consistent with the criteria set forth in Senate Report 114–79, while also considering whether the project involves important foreign policy objectives.
- (4) Sustainable Landscapes.—Of the funds appropriated under title III of this Act, not less than \$125,000,000 shall be made available for sustainable landscapes programs.
- 21 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-22 MENT.—Of the funds appropriated by title III of this Act, 23 not less than \$1,000,600,000 shall be made available for 24 food security and agricultural development programs to

carry out the purposes of the Global Food Security Act

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- 1 of 2016 (Public Law 114-195), of which not less than
- 2 \$315,960,000 shall be made available for the Bureau for
- 3 Food Security, USAID, including not less than
- 4 \$55,000,000 for the Feed the Future Innovation Labs:
- 5 Provided, That funds may be made available for a con-
- 6 tribution as authorized by section 3202 of the Food, Con-
- 7 servation, and Energy Act of 2008 (Public Law 110–246),
- 8 as amended by section 3206 of the Agricultural Act of
- 9 2014 (Public Law 113-79).
- 10 (e) Micro- and Small Enterprises.—Of the
- 11 funds appropriated by this Act, not less than
- 12 \$265,000,000 shall be made available to support the devel-
- 13 opment of, and access to financing for, micro- and small
- 14 enterprises that benefit the poor, especially women.
- 15 (f) Programs To Combat Trafficking in Per-
- 16 sons.—Of the funds appropriated by this Act under the
- 17 headings "Development Assistance", "Economic Support
- 18 Fund", "Assistance for Europe, Eurasia and Central
- 19 Asia", and "International Narcotics Control and Law En-
- 20 forcement", not less than \$67,000,000 shall be made
- 21 available for activities to combat trafficking in persons
- 22 internationally, of which not less than \$45,000,000 shall
- 23 be from funds made available under the heading "Inter-
- 24 national Narcotics Control and Law Enforcement": Pro-
- 25 vided, That funds appropriated by this Act that are made



- 1 available for programs to end modern slavery shall be in
- 2 addition to funds made available by this subsection to
- 3 combat trafficking in persons.
- 4 (g) Reconciliation Programs.—Funds appro-
- 5 priated by this Act under the headings "Economic Sup-
- 6 port Fund" and "Development Assistance" shall be made
- 7 available to support people-to-people reconciliation pro-
- 8 grams which bring together individuals of different ethnic,
- 9 religious, and political backgrounds from areas of civil
- 10 strife and war: Provided, That the USAID Administrator
- 11 shall consult with the Committees on Appropriations, prior
- 12 to the initial obligation of funds, on the uses of such funds,
- 13 and such funds shall be subject to the regular notification
- 14 procedures of the Committees on Appropriations: Provided
- 15 further, That to the maximum extent practicable, such
- 16 funds shall be matched by sources other than the United
- 17 States Government: Provided further, That such funds
- 18 shall be administered by the Office of Conflict Manage-
- 19 ment and Mitigation, USAID.
- 20 (h) Water and Sanitation.—Of the funds appro-
- 21 priated by this Act, not less than \$435,000,000 shall be
- 22 made available for water supply and sanitation projects
- 23 pursuant to section 136 of the Foreign Assistance Act of
- 24 1961, of which not less than \$195,000,000 shall be for
- 25 programs in sub-Saharan Africa, and of which not less



- 1 than \$15,000,000 shall be made available to support ini-
- 2 tiatives by local communities in developing countries to
- 3 build and maintain safe latrines.
- 4 Enterprise funds
- 5 Sec. 7061. (a) Notification.—None of the funds
- 6 made available under titles III through VI of this Act may
- 7 be made available for Enterprise Funds unless the appro-
- 8 priate congressional committees are notified at least 15
- 9 days in advance.
- 10 (b) Distribution of Assets Plan.—Prior to the
- 11 distribution of any assets resulting from any liquidation,
- 12 dissolution, or winding up of an Enterprise Fund, in whole
- 13 or in part, the President shall submit to the appropriate
- 14 congressional committees a plan for the distribution of the
- 15 assets of the Enterprise Fund.
- 16 (c) Transition or Operating Plan.—Prior to a
- 17 transition to and operation of any private equity fund or
- 18 other parallel investment fund under an existing Enter-
- 19 prise Fund, the President shall submit such transition or
- 20 operating plan to the appropriate congressional commit-
- 21 tees.
- 22 IMPACT ON JOBS IN THE UNITED STATES
- Sec. 7062. None of the funds appropriated or other-
- 24 wise made available under titles III through VI of this
- 25 Act may be obligated or expended to provide—



(1) any financial incentive to a business enter-
prise currently located in the United States for the
purpose of inducing such an enterprise to relocate
outside the United States if such incentive or in-
ducement is likely to reduce the number of employ-
ees of such business enterprise in the United States
because United States production is being replaced
by such enterprise outside the United States;

- (2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers' rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture;
- (3) any assistance to an entity outside the United States if such assistance is for the purpose of directly relocating or transferring jobs from the United States to other countries and adversely impacts the labor force in the United States; or

1	(4) for the enforcement of any rule, regulation,
2	policy, or guidelines implemented pursuant to—
3	(A) the third proviso of subsection 7079(b)
4	of the Department of State, Foreign Oper-
5	ations, and Related Programs Appropriations
6	Act, 2010 (division F of Public Law 111–117)
7	(B) the modification proposed by the Over-
8	seas Private Investment Corporation in Novem-
9	ber 2013 to the Corporation's Environmental
10	and Social Policy Statement relating to coal; or
11	(C) the Supplemental Guidelines for High
12	Carbon Intensity Projects approved by the Ex-
13	port-Import Bank of the United States on De-
14	cember 12, 2013,
15	when enforcement of such rule, regulation, policy, or
16	guidelines would prohibit, or have the effect of pro-
17	hibiting, any coal-fired or other power-generation
18	project the purpose of which is to: (i) provide afford-
19	able electricity in International Development Asso-
20	ciation (IDA)-eligible countries and IDA-blend coun-
21	tries; and (ii) increase exports of goods and services
22	from the United States or prevent the loss of jobs
23	from the United States.



OVERSEAS	PRIVATE	INVESTMENT	CORPORATION

- 2 Sec. 7063. (a) Transfer of Funds.—Whenever
- 3 the President determines that it is in furtherance of the
- 4 purposes of the Foreign Assistance Act of 1961, up to a
- 5 total of \$20,000,000 of the funds appropriated under title
- 6 III of this Act may be transferred to, and merged with,
- 7 funds appropriated by this Act for the Overseas Private
- 8 Investment Corporation Program Account, to be subject
- 9 to the terms and conditions of that account: Provided,
- 10 That such funds shall not be available for administrative
- 11 expenses of the Overseas Private Investment Corporation:
- 12 Provided further, That designated funding levels in this
- 13 Act shall not be transferred pursuant to this section: Pro-
- 14 vided further, That the exercise of such authority shall be
- 15 subject to the regular notification procedures of the Com-
- 16 mittees on Appropriations.
- 17 (b) AUTHORITY.—Notwithstanding section 235(a)(2)
- 18 of the Foreign Assistance Act of 1961, the authority of
- 19 subsections (a) through (c) of section 234 of such Act
- 20 shall remain in effect until September 30, 2019.
- 21 Inspectors general
- Sec. 7064. (a) Prohibition on Use of Funds.—
- 23 None of the funds appropriated by this Act may be used
- 24 to deny an Inspector General funded under this Act timely
- 25 access to any records, documents, or other materials avail-



- 1 able to the department or agency of the United States
- 2 Government over which such Inspector General has re-
- 3 sponsibilities under the Inspector General Act of 1978 (5
- 4 U.S.C. App.), or to prevent or impede the access of such
- 5 Inspector General to such records, documents, or other
- 6 materials, under any provision of law, except a provision
- 7 of law that expressly refers to such Inspector General and
- 8 expressly limits the right of access of such Inspector Gen-
- 9 eral.
- 10 (b) Timely Access.—A department or agency of the
- 11 United States Government covered by this section shall
- 12 provide its Inspector General access to all records, docu-
- 13 ments, and other materials in a timely manner.
- 14 (c) Compliance.—Each Inspector General covered
- 15 by this section shall ensure compliance with statutory limi-
- 16 tations on disclosure relevant to the information provided
- 17 by the department or agency over which that Inspector
- 18 General has responsibilities under the Inspector General
- 19 Act of 1978 (5 U.S.C. App.).
- 20 (d) Report.—Each Inspector General covered by
- 21 this section shall report to the Committees on Appropria-
- 22 tions within 5 calendar days of any failure by any depart-
- 23 ment or agency of the United States Government to pro-
- 24 vide its Inspector General access to all requested records,
- 25 documents, and other materials.



1	GLOBAL INTERNET FREEDOM
2	Sec. 7065. (a) Funding.—Of the funds available for
3	obligation during fiscal year 2019 under the headings
4	"International Broadcasting Operations", "Economic
5	Support Fund", "Democracy Fund", and "Assistance for
6	Europe, Eurasia and Central Asia", not less than
7	\$60,500,000 shall be made available for programs to pro-
8	mote Internet freedom globally: Provided, That such pro-
9	grams shall be prioritized for countries whose governments
10	restrict freedom of expression on the Internet, and that
11	are important to the national interest of the United
12	States: Provided further, That funds made available pursu-
13	ant to this section shall be matched, to the maximum ex-
14	tent practicable, by sources other than the United States
15	Government, including from the private sector.
16	(b) REQUIREMENTS.—
17	(1) Funds appropriated by this Act under the
18	headings "Economic Support Fund", "Democracy
19	Fund", and "Assistance for Europe, Eurasia and
20	Central Asia" that are made available pursuant to
21	subsection (a) shall be—
22	(A) coordinated with other democracy pro-
23	grams funded by this Act under such headings
24	and shall be incorporated into country assist-



1	ance and democracy promotion strategies, as
2	appropriate;
3	(B) for programs to implement the May
4	2011, International Strategy for Cyberspace;
5	the Department of State International Cyber-
6	space Policy Strategy required by section 402
7	of the Cybersecurity Act of 2015 (division N of
8	Public Law 114–113); and the comprehensive
9	strategy to promote Internet freedom and ac-
10	cess to information in Iran, as required by sec-
11	tion 414 of the Iran Threat Reduction and
12	Syria Human Rights Act of 2012 (22 U.S.C.
13	8754);
14	(C) made available for programs that sup-
15	port the efforts of civil society to counter the
16	development of repressive Internet-related laws
17	and regulations, including countering threats to
18	Internet freedom at international organizations;
19	to combat violence against bloggers and other
20	users; and to enhance digital security training
21	and capacity building for democracy activists;
22	(D) made available for research of key
23	threats to Internet freedom; the continued de-
24	velopment of technologies that provide or en-

hance access to the Internet, including cir-

1	cumvention tools that bypass Internet blocking
2	filtering, and other censorship techniques used
3	by authoritarian governments; and maintenance
4	of the technological advantage of the United
5	States Government over such censorship tech-
6	niques: Provided, That the Secretary of State
7	in consultation with the Chief Executive Officer
8	(CEO) of the Broadcasting Board of Governors
9	(BBG), shall coordinate any such research and
10	development programs with other relevant
11	United States Government departments and
12	agencies in order to share information, tech-
13	nologies, and best practices, and to assess the
14	effectiveness of such technologies; and
15	(E) made available only after the Assistant
16	Secretary for Democracy, Human Rights, and
17	Labor, Department of State, concurs that such
18	funds are allocated consistent with—
19	(i) the strategies referenced in sub-
20	paragraph (B) of this paragraph;
21	(ii) best practices regarding security
22	for, and oversight of, Internet freedom pro-
23	grams; and



1	(iii) sufficient resources and support
2	for the development and maintenance of
3	anti-censorship technology and tools.
4	(2) Funds appropriated by this Act under the
5	heading "International Broadcasting Operations"
6	that are made available pursuant to subsection (a)
7	shall be—
8	(A) made available only for tools and tech-
9	niques to securely develop and distribute BBG
10	digital content; facilitate audience access to
11	such content on websites that are censored; co-
12	ordinate the distribution of BBG digital content
13	to targeted regional audiences; and to promote
14	and distribute such tools and techniques, in-
15	cluding digital security techniques;
16	(B) coordinated with programs funded by
17	this Act under the heading "International
18	Broadcasting Operations", and shall be incor-
19	porated into country broadcasting strategies, as
20	appropriate;
21	(C) coordinated by the BBG CEO to pro-
22	vide Internet circumvention tools and tech-
23	niques for audiences in countries that are stra-
24	tegic priorities for the BBG and in a manner

1	consistent with the BBG Internet freedom
2	strategy; and
3	(D) made available for the research and
4	development of new tools or techniques author-
5	ized in paragraph (A) only after the BBG CEO
6	in consultation with the Secretary of State and
7	other relevant United States Government de-
8	partments and agencies, evaluates the risks and
9	benefits of such new tools or techniques, and
10	establishes safeguards to minimize the use of
11	such new tools or techniques for illicit purposes
12	(c) Coordination and Spend Plans.—After con-
13	sultation among the relevant agency heads to coordinate
14	and de-conflict planned activities, but not later than 90
15	days after enactment of this Act, the Secretary of State
16	and the BBG CEO shall submit to the Committees on Ap-
17	propriations spend plans for funds made available by this
18	Act for programs to promote Internet freedom globally
19	which shall include a description of safeguards established
20	by relevant agencies to ensure that such programs are not
21	used for illicit purposes: Provided, That the Department
22	of State spend plan shall include funding for all such pro-
23	grams for all relevant Department of State and the United
24	States Agency for International Development offices and
25	bureaus.



- 1 (d) Security Audits.—Funds made available pur-
- 2 suant to this section to promote Internet freedom globally
- 3 may only be made available to support technologies that
- 4 undergo comprehensive security audits conducted by the
- 5 Bureau of Democracy, Human Rights, and Labor, De-
- 6 partment of State to ensure that such technology is secure
- 7 and has not been compromised in a manner detrimental
- 8 to the interest of the United States or to individuals and
- 9 organizations benefiting from programs supported by such
- 10 funds: *Provided*, That the security auditing procedures
- 11 used by such Bureau shall be reviewed and updated peri-
- 12 odically to reflect current industry security standards.
- 13 (e) SURGE.—Of the funds appropriated by this Act
- 14 under the heading "Economic Support Fund", up to
- 15 \$2,500,000 may be made available to surge Internet free-
- 16 dom programs in closed societies if the Secretary of State
- 7 determines and reports to the appropriate congressional
- 18 committees that such use of funds is in the national inter-
- 19 est: Provided, That such funds are in addition to amounts
- 20 made available for such purposes: Provided further, That
- 21 such funds may be transferred to, and merged with, funds
- 22 appropriated by this Act under the heading "International
- 23 Broadcasting Operations" following consultation with, and
- 24 the regular notification procedures of, the Committees on
- 25 Appropriations.



1	MULTI-YEAR PLEDGES
2	Sec. 7066. None of the funds appropriated by this
3	Act may be used to make any pledge for future year fund-
4	ing for any multilateral or bilateral program funded in ti-
5	tles III through VI of this Act unless such pledge was—
6	(1) previously justified, including the projected
7	future year costs, in a congressional budget justifica-
8	tion;
9	(2) included in an Act making appropriations
10	for the Department of State, foreign operations, and
11	related programs or previously authorized by an Act
12	of Congress;
13	(3) notified in accordance with the regular noti-
14	fication procedures of the Committees on Appropria-
15	tions, including the projected future year costs; or
16	(4) the subject of prior consultation with the
17	Committees on Appropriations and such consultation
18	was conducted at least 7 days in advance of the
19	pledge.
20	TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
21	TREATMENT OR PUNISHMENT
22	Sec. 7067. (a) Limitation.—None of the funds
23	made available by this Act may be used to support or jus-
24	tify the use of torture and other cruel, inhuman, or de-



- 1 grading treatment or punishment by any official or con-
- 2 tract employee of the United States Government.
- 3 (b) Assistance.—Funds appropriated under titles
- 4 III and IV of this Act shall be made available, notwith-
- 5 standing section 660 of the Foreign Assistance Act of
- 6 1961 and following consultation with the Committees on
- 7 Appropriations, for assistance to eliminate torture and
- 8 other cruel, inhuman, or degrading treatment or punish-
- 9 ment by foreign police, military or other security forces
- 10 in countries receiving assistance from funds appropriated
- 11 by this Act.
- 12 EXTRADITION
- 13 Sec. 7068. (a) Limitation.—None of the funds ap-
- 14 propriated in this Act may be used to provide assistance
- 15 (other than funds provided under the headings "Inter-
- 16 national Disaster Assistance", "Complex Crises Fund",
- 17 "International Narcotics Control and Law Enforcement",
- 18 "Migration and Refugee Assistance", "United States
- 19 Emergency Refugee and Migration Assistance Fund", and
- 20 "Nonproliferation, Anti-terrorism, Demining and Related
- 21 Assistance") for the central government of a country
- 22 which has notified the Department of State of its refusal
- 23 to extradite to the United States any individual indicted
- 24 for a criminal offense for which the maximum penalty is
- 25 life imprisonment without the possibility of parole or for



- 1 killing a law enforcement officer, as specified in a United
- 2 States extradition request.
- 3 (b) Clarification.—Subsection (a) shall only apply
- 4 to the central government of a country with which the
- 5 United States maintains diplomatic relations and with
- 6 which the United States has an extradition treaty and the
- 7 government of that country is in violation of the terms
- 8 and conditions of the treaty.
- 9 (c) WAIVER.—The Secretary of State may waive the
- 10 restriction in subsection (a) on a case-by-case basis if the
- 11 Secretary certifies to the Committees on Appropriations
- 12 that such waiver is important to the national interest of
- 13 the United States.
- 14 WAR CRIMES TRIBUNALS
- 15 Sec. 7069. If the President determines that doing so
- 16 will contribute to a just resolution of charges regarding
- 17 genocide or other violations of international humanitarian
- 18 law, the President may direct a drawdown pursuant to sec-
- 19 tion 552(c) of the Foreign Assistance Act of 1961 of up
- 20 to \$30,000,000 of commodities and services for the United
- 21 Nations War Crimes Tribunal established with regard to
- 22 the former Yugoslavia by the United Nations Security
- 23 Council or such other tribunals or commissions as the
- 24 Council may establish or authorize to deal with such viola-
- 25 tions, without regard to the ceiling limitation contained



- 1 in paragraph (2) thereof: Provided, That the determina-
- 2 tion required under this section shall be in lieu of any de-
- 3 terminations otherwise required under section 552(c): Pro-
- 4 vided further, That funds made available pursuant to this
- 5 section shall be made available subject to the regular noti-
- 6 fication procedures of the Committees on Appropriations.
- 7 BUDGET DOCUMENTS
- 8 Sec. 7070. (a) Operating Plans.—Not later than
- 9 45 days after the date of enactment of this Act, each de-
- 10 partment, agency, or organization funded in titles I, II,
- 11 and VI of this Act, and the Department of the Treasury
- 12 and Independent Agencies funded in title III of this Act,
- 13 including the Inter-American Foundation and the United
- 14 States African Development Foundation, shall submit to
- 15 the Committees on Appropriations an operating plan for
- 16 funds appropriated to such department, agency, or organi-
- 17 zation in such titles of this Act, or funds otherwise avail-
- 18 able for obligation in fiscal year 2019, that provides de-
- 19 tails of the uses of such funds at the program, project,
- 20 and activity level: Provided, That such plans shall include,
- 21 as applicable, a comparison between the congressional
- 22 budget justification funding levels, the most recent con-
- 23 gressional directives or approved funding levels, and the
- 24 funding levels proposed by the department or agency; and
- 25 a clear, concise, and informative description/justification:



1	Provided further, That if such department, agency, or or-
2	ganization receives an additional amount under the same
3	heading in title VIII of this Act, operating plans required
4	by this subsection shall include consolidated information
5	on all such funds: Provided further, That operating plans
6	that include changes in levels of funding for programs,
7	projects, and activities specified in the congressional budg-
8	et justification, in this Act, or amounts specifically des-
9	ignated in the respective tables included in the explanatory
10	statement described in section 4 (in the matter preceding
11	division A of this consolidated Act), as applicable, shall
12	be subject to the notification and reprogramming require-
13	ments of section 7015 of this Act.
14	(b) Spend Plans.—
15	(1) Prior to the initial obligation of funds but
16	not later than 120 days after enactment of this Act
17	the Secretary of State or Administrator of the
18	United States Agency for International Develop-
19	ment, as appropriate, shall submit to the Commit-
20	tees on Appropriations a spend plan for funds made
21	available by this Act, for—
22	(A) assistance for Afghanistan, Iraq, Leb-
23	anon, Pakistan, the West Bank and Gaza, Co-
24	lambia and countries in Central America.

1	(B) assistance made available pursuant to
2	section 7047(d) of this Act to counter Russian
3	influence and aggression, except that such plan
4	shall be on a country-by-country basis;
5	(C) assistance made available pursuant to
6	section 7059 of this Act;
7	(D) the Indo-Pacific Strategy;
8	(E) democracy programs, Power Africa,
9	programs to support section 7071(a) of this
10	Act, and sectors enumerated in subsections (a),
11	(c), (d), (e), (f), (g), and (h) of section 7060
12	of this Act; and
13	(F) funds provided under the heading
14	"International Narcotics Control and Law En-
15	forcement" for International Organized Crime
16	and for Cybercrime and Intellectual Property
17	Rights: Provided, That the spend plans shall in-
18	clude bilateral and global programs funded
19	under such heading along with a brief descrip-
20	tion of the activities planned for each country.
21	(2) Not later than 45 days after enactment of
22	this Act, the Secretary of the Treasury shall submit
23	to the Committees on Appropriations a detailed
24	spend plan for funds made available by this Act
25	under the heading "Department of the Treasury,

1	International	Affairs	Technical	Assistance"	in	title
2	III.					

- 3 (3) Notwithstanding paragraph (1), up to 10 4 percent of the funds contained in a spend plan re-5 quired by this subsection may be obligated prior to 6 the submission of such spend plan if the Secretary 7 of State or the USAID Administrator, as appro-8 priate, determines that the obligation of such funds 9 is necessary to avoid significant programmatic dis-10 ruption: Provided, That not less than seven days 11 prior to such obligation, the Secretary or Adminis-12 trator, as appropriate, shall consult with the Com-13 mittees on Appropriations on the justification for 14 such obligation and the proposed uses of such funds. 15 (c) Spending Report.—Not later than 45 days
- after enactment of this Act, the USAID Administrator shall submit to the Committees on Appropriations a detailed report on spending of funds made available during fiscal year 2018 under the heading "Development Credit Authority".
- 21 (d) CLARIFICATION.—The spend plans referenced in 22 subsection (b) shall not be considered as meeting the noti-23 fication requirements in this Act or under section 634A 24 of the Foreign Assistance Act of 1961.
- 25 (e) Congressional Budget Justification.—



1	(1) The congressional budget justification for
2	Department of State operations and foreign oper-
3	ations shall be provided to the Committees on Ap-
4	propriations concurrent with the date of submission
5	of the President's budget for fiscal year 2020: Pro-
6	vided, That the appendices for such justification
7	shall be provided to the Committees on Appropria-
8	tions not later than 10 calendar days thereafter.
9	(2) The Secretary of State and the USAID Ad-
10	ministrator shall include in the congressional budget
11	justification a detailed justification for multi-year
12	availability for any funds requested under the head-
13	ings "Diplomatic Programs" and "Operating Ex-
14	penses".
15	STABILIZATION AND DEVELOPMENT IN REGIONS
16	IMPACTED BY EXTREMISM AND CONFLICT
17	Sec. 7071. (a) Countering Foreign Fighters
18	AND EXTREMIST ORGANIZATIONS.—Funds appropriated
19	under titles III and IV of this Act shall be made available
20	for programs and activities to counter and defeat violent
21	extremism and foreign fighters abroad, consistent with the
22	strategy required by section 7073(a)(1) of the Department
23	of State, Foreign Operations, and Related Programs Ap-
24	propriations Act, 2017 (division J of Public Law 115–31):
25	Provided. That the Secretary of State shall ensure such

- 1 programs are coordinated with and complement the efforts
- 2 of other United States Government agencies and inter-
- 3 national partners, and that information gained through
- 4 the conduct of such programs is shared in a timely manner
- 5 with relevant departments and agencies of the United
- 6 States Government, other international partners, and the
- 7 appropriate congressional committees, as appropriate.
- 8 (b) Relief and Recovery Fund.—
- 9 (1) Funds and transfer authority.—Of
- the funds appropriated by this Act under the head-
- ings "Economic Support Fund", "International Nar-
- 12 cotics Control and Law Enforcement", "Non-
- proliferation, Anti-terrorism, Demining and Related
- 14 Programs", "Peacekeeping Operations", and "For-
- eign Military Financing Program", not less than
- \$200,000,000 shall be made available for the Relief
- and Recovery Fund for assistance for areas liberated
- or at risk from, or under the control of, the Islamic
- 19 State of Iraq and Syria, other terrorist organiza-
- 20 tions, or violent extremist organizations, including
- for stabilization assistance for vulnerable ethnic and
- religious minority communities affected by conflict:
- 23 Provided, That such funds are in addition to
- amounts otherwise made available for such purposes
- and to amounts specifically designated in this Act or

in the explanatory statement described in section 4

(in the matter preceding division A of this consolidated Act) for assistance for countries: Provided further, That such funds appropriated under such headings may be transferred to, and merged with, funds appropriated under such headings: Provided further, That such transfer authority is in addition to any other transfer authority provided by this Act or any other Act, and is subject to the regular notification procedures of the Committees on Appropriations.

(2) Transitional Justice.—Of the funds appropriated by this Act under the heading "International Narcotics Control and Law Enforcement" that are made available for the Relief and Recovery Fund, not less than \$5,000,000 shall be made available for programs to promote accountability in Iraq and Syria for genocide, crimes against humanity, and war crimes, which shall be in addition to any other funds made available by this Act for such purposes: Provided, That such programs shall include components to develop local investigative and judicial skills, and to collect and preserve evidence and maintain the chain of custody of evidence, including for use in prosecutions: Provided further, That such funds shall be administered by the Special Coordi-

1	nator for the Office of Global Criminal Justice, De-
2	partment of State: Provided further, That funds
3	made available by this paragraph shall only be made
4	available on an open and competitive basis.
5	(3) Funds for Jordan and Tunisia.—Of the
6	funds appropriated in prior Acts making appropria-
7	tions for the Department of State, foreign oper-
8	ations, and related programs that are made available
9	for the Relief and Recovery Fund, not less than the
10	following amounts shall be made available—
11	(A) \$50,000,000 for assistance for Jordan
12	and
13	(B) \$50,000,000 for assistance for Tuni-
14	sia:
15	Provided, That such funds are in addition to
16	amounts otherwise made available by this Act for
17	such countries.
18	(c) Prevention of Failed States Through Pub-
19	LIC-PRIVATE PARTNERSHIPS.—Of the funds appropriated
20	by this Act and prior Acts making appropriations for the
21	Department of State, foreign operations, and related pro-
22	grams that are made available for the Relief and Recovery
23	Fund, up to \$10,000,000 shall be made available to imple-
24	ment the program described under this section in the ex-
25	planatory statement described in section 4 (in the matter



- 1 preceding division A of this consolidated Act), which shall
- 2 be apportioned to USAID not later than 90 days after
- 3 enactment of this Act: Provided, That such funds shall
- 4 be in addition to funds made available for bilateral assist-
- 5 ance for such countries, and shall remain available until
- 6 expended: Provided further, That in addition to funds oth-
- 7 erwise made available for such purposes, up to \$750,000
- 8 of the funds made available by this paragraph may be used
- 9 by USAID for administrative expenses related to the de-
- 10 sign and implementation of such program.
- 11 (d) Counter Violent Extremism in Asia.—Of
- 12 the funds appropriated by this Act under the heading
- 13 "Economic Support Fund", not less than \$2,500,000 shall
- 14 be made available for programs to counter violent extre-
- 15 mism in Asia, including within the Buddhist community:
- 16 Provided, That such funds shall be administered by the
- 17 Mission Director of the Regional Development Mission for
- 18 Asia, USAID: Provided further, That such funds are in
- 19 addition to funds otherwise made available for such pur-
- 20 poses.
- 21 (e) Fragile States and Extremism.—Funds ap-
- 22 propriated by this Act shall be made available for the pur-
- 23 poses of section 7080 of the Department of State, Foreign
- 24 Operations, and Related Programs Appropriations Act,
- 25 2017 (division J of Public Law 115–31), subject to the



- 1 regular notification procedures of the Committees on Ap-
- 2 propriations.
- 3 (f) Global Concessional Financing Facility.—
- 4 Funds appropriated by this Act under the heading "Eco-
- 5 nomic Support Fund" may be made available for the Glob-
- 6 al Concessional Financing Facility of the World Bank to
- 7 provide financing to support refugees and host commu-
- 8 nities: Provided, That such funds shall be in addition to
- 9 funds made available for bilateral assistance in the report
- 10 required by section 653(a) of the Foreign Assistance Act
- 11 of 1961, and may only be made available subject to prior
- 12 consultation with the Committees on Appropriations.
- 13 UNITED NATIONS POPULATION FUND
- 14 Sec. 7072. (a) Contribution.—Of the funds made
- 15 available under the heading "International Organizations
- 16 and Programs' in this Act for fiscal year 2019,
- 17 \$32,500,000 shall be made available for the United Na-
- 18 tions Population Fund (UNFPA).
- 19 (b) AVAILABILITY OF FUNDS.—Funds appropriated
- 20 by this Act for UNFPA, that are not made available for
- 21 UNFPA because of the operation of any provision of law,
- 22 shall be transferred to the "Global Health Programs" ac-
- 23 count and shall be made available for family planning, ma-
- 24 ternal, and reproductive health activities, subject to the



1	regular notification procedures of the Committees on Ap-
2	propriations.
3	(c) Prohibition on Use of Funds in China.—
4	None of the funds made available by this Act may be used
5	by UNFPA for a country program in the People's Repub-
6	lic of China.
7	(d) Conditions on Availability of Funds.—
8	Funds made available by this Act for UNFPA may not
9	be made available unless—
10	(1) UNFPA maintains funds made available by
11	this Act in an account separate from other accounts
12	of UNFPA and does not commingle such funds with
13	other sums; and
14	(2) UNFPA does not fund abortions.
15	(e) Report to Congress and Dollar-for-Dol-
16	LAR WITHHOLDING OF FUNDS.—
17	(1) Not later than 4 months after the date of
18	enactment of this Act, the Secretary of State shall
19	submit a report to the Committees on Appropria-
20	tions indicating the amount of funds that UNFPA
21	is budgeting for the year in which the report is sub-
22	mitted for a country program in the People's Repub-
23	lic of China.
24	(2) If a report under paragraph (1) indicates
25	that UNFPA plans to spend funds for a country

1	program in the People's Republic of China in the
2	year covered by the report, then the amount of such
3	funds UNFPA plans to spend in the People's Re-
4	public of China shall be deducted from the funds
5	made available to UNFPA after March 1 for obliga-
6	tion for the remainder of the fiscal year in which the
7	report is submitted.

- 8 REORGANIZATION AND INFORMATION TECHNOLOGY
- 9 Sec. 7073. (a) Oversight.—

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Prior consultation and NOTIFICA-TION.—Funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may not be used to implement a reorganization, redesign, or other plan described in paragraph (2) by the Department of State, the United States Agency for International Development, or any other Federal department, agency, or organization funded by this Act without prior consultation by the head of such department, agency, or organization with the appropriate congressional committees: Provided, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That any such notification submitted to such Committees shall include

1	a detailed justification for any proposed action, in-
2	cluding the information specified under this section
3	in the explanatory statement described in section 4
4	(in the matter preceding division A of this consoli-
5	dated Act): Provided further, That congressional no-
6	tifications submitted during the previous fiscal year
7	pursuant to section 7081 of the Department of
8	State, Foreign Operations, and Related Programs
9	Appropriations Act, 2018 (division K of Public Law
10	115–141) may be deemed to meet the notification
11	requirements of this section.
12	(2) Description of activities.—Pursuant to
13	paragraph (1), a reorganization, redesign, or other
14	plan shall include any action to—
15	(A) expand, eliminate, consolidate, or
16	downsize covered departments, agencies, or or-
17	ganizations, including bureaus and offices with-
18	in or between such departments, agencies, or
19	organizations, including the transfer to other
20	agencies of the authorities and responsibilities
21	of such bureaus and offices;
22	(B) expand, eliminate, consolidate, or
23	downsize the United States official presence
24	overseas including at bilateral, regional, and

1	multilateral diplomatic facilities and other plat-
2	forms; or
3	(C) expand or reduce the size of the Civil
4	Service, Foreign Service, eligible family mem-
5	ber, and locally employed staff workforce of the
6	Department of State and USAID from the on-
7	board levels as of December 31, 2017.
8	(b) Additional Requirements and Limita-
9	TIONS.—
10	(1) Personnel Levels.—Funds made avail-
11	able by this Act are made available to support the
12	agency-wide on-board Foreign Service and Civil
13	Service staff levels of the Department of State and
14	USAID at not less than the levels as of December
15	31, 2017.
16	(2) Reports.—
17	(A) Not later than 30 days after enact-
18	ment of this Act, and quarterly thereafter until
19	September 30, 2020, the USAID Administrator
20	shall submit a report to the appropriate con-
21	gressional committees on the status of USAID
22	reorganization as described in the explanatory
23	statement described in section 4 (in the matter
24	preceding division A of this consolidated Act)
25	Provided That the USAID Administrator shall

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consult with the appropriate congressional committees on the format of such reports.

(B) Not later than 60 days after enactment of this Act and every 60 days thereafter until September 30, 2020, the Secretary of State, in the case of the Department of State, and the USAID Administrator, in the case of USAID, shall report to the appropriate congressional committees on the on-board personnel levels, hiring, and attrition of the Civil Service, Foreign Service, eligible family member, and locally employed staff workforce of the Department of State and USAID, as appropriate, on an operating unit-by-operating unit basis: Provided, That such report shall also include a hiring plan, including timelines, for maintaining the agency-wide, on-board Foreign Service and Civil Service at not less than the December 31, 2017 level through fiscal year 2019.

(3) Bureau of Population, Refugees, and Migration, Department of State.—None of the funds appropriated by this Act, prior Acts making appropriations for the Department of State, foreign operations, and related programs, or any other Act may be used to downsize, downgrade, consolidate,

1	close, move, or relocate the Bureau of Population
2	Refugees, and Migration, Department of State, or
3	any activities of such Bureau, to another Federa
4	agency.
5	(4) Administration of funds.—Funds made
6	available by this Act—
7	(A) under the heading "Migration and
8	Refugee Assistance" shall be administered by
9	the Assistant Secretary for Population, Refu-
10	gees, and Migration, Department of State, and
11	this responsibility shall not be delegated; and
12	(B) that are made available for the Office
13	of Global Women's Issues shall be administered
14	by the United States Ambassador-at-Large for
15	Global Women's Issues, Department of State
16	and this responsibility shall not be delegated.
17	(5) Information technology platform.—
18	(A) None of the funds appropriated in title
19	I of this Act under the heading "Administration
20	of Foreign Affairs" may be made available for
21	a new major information technology (IT) in-
22	vestment without the concurrence of the Chief
23	Information Officer, Department of State.
24	(B) In complying with the requirements of
25	this paragraph, the Chief Information Officer



1	Department of State, shall consider whether a
2	new major information technology investment—
3	(i) is consistent with the Department
4	Information Technology Strategic Plan;
5	(ii) maintains consolidated control
6	over enterprise IT functions or improves
7	operational maintenance;
8	(iii) improves Department of State re-
9	siliency to a cyber-attack;
10	(iv) reduces Department of State IT
11	costs over the long-term; and
12	(v) is in accordance with the Federal
13	Acquisition Regulation (FAR), including
14	FAR Part 6 regarding competition require-
15	ments.
16	(6) Technology modernization fund limi-
17	TATION.—
18	(A) None of the funds made available by
19	this Act and prior Acts making appropriations
20	for the Department of State, foreign operations,
21	and related programs may be used by an agen-
22	cy to submit a project proposal to the Tech-
23	nology Modernization Board for funding from
24	the Technology Modernization Fund unless, not
25	later than 15 days in advance of submitting the



1	project proposal to the Board, the head of the
2	agency—
3	(i) notifies the Committees on Appro-
4	priations of the proposed submission of the
5	project proposal; and
6	(ii) submits to the Committees on Ap-
7	propriations a copy of the project proposal.
8	(B) None of the funds made available by
9	this Act and prior Acts making appropriations
10	for the Department of State, foreign operations,
11	and related programs may be used by an agen-
12	cy to carry out a project that is approved by the
13	Board unless the head of the agency—
14	(i) submits to the Committees on Ap-
15	propriations a copy of the approved project
16	proposal, including the terms of reimburse-
17	ment of funding received for the project;
18	and
19	(ii) agrees to submit to the Commit-
20	tees on Appropriations a copy of each re-
21	port relating to the project that the head
22	of the agency submits to the Board.
23	(7) Foreign assistance review.—Pro-
24	grammatic, funding, and organizational changes re-
25	sulting from implementation of the Foreign Assist-



1	ance Review shall be subject to prior consultation
2	with, and the regular notification procedures of, the
3	Committees on Appropriations: Provided, That such
4	notifications may be submitted in classified form, if
5	necessary.
6	RESCISSIONS
7	(INCLUDING RESCISSION OF FUNDS)
8	Sec. 7074. (a) Of the unobligated balances available
9	under the heading "International Narcotics Control and
10	Law Enforcement", as identified by Treasury Appropria-
11	tion Fund Symbol 11 X 1022, \$12,420,000 are rescinded.
12	(b) Of the grant balances in the Foreign Military
13	Sales Trust Fund, identified by Treasury Appropriation
14	Fund Symbol 97–11 X 8242, which are not currently ap-
15	plied to an active FMS case and which were appropriated
16	prior to fiscal year 2009, \$11,000,000 shall be
17	deobligated, as appropriate, and shall be permanently re-
18	seinded.
19	JOHN S. MCCAIN SCHOLARS PROGRAM
20	Sec. 7075. Funds appropriated by this Act under the
21	heading "Educational and Cultural Exchange Programs"
22	that are made available for the Benjamin Gilman Inter-
23	national Scholarships Program shall also be made avail-
24	able for the John S. McCain Scholars Program, pursuant
25	to section 303 of the International Academic Opportunity



1	Act of 2000 (Public Law 106–309), to include the depend-
2	ents of active United States military personnel who are
3	receiving any form of Federal Financial Aid under title
4	IV of the Higher Education Act of 1965.
5	AFGHAN SPECIAL IMMIGRANT VISAS
6	Sec. 7076. (a) Afghan Allies.—Section
7	602(b)(3)(F) of the Afghan Allies Protection Act of 2009
8	(division F of Public Law 111–8), as amended, is further
9	amended by substituting "18,500" for "14,500" in the
10	matter preceding clause (i).
11	(b) Conditions.—None of the funds appropriated by
12	this Act may be made available for the additional special
13	immigrant visas made available under subsection (a) until
14	the Secretary of State—
15	(1) develops and implements a system to
16	prioritize the processing of Afghan applicants for
17	special immigrant visas under section 602 of the Af-
18	ghan Allies Protection Act of 2009 (8 U.S.C. 1101
19	note); and
20	(2) submits to the appropriate congressional
21	committees, as defined in section 602(a) of the Af-
22	ghan Allies Protection Act of 2009 (8 U.S.C. 1101
23	note), the following reports:
24	(A) the report required under paragraph
25	(12) of section 602(b) of the Afghan Allies Pro-

1	tection Act of 2009 (8 U.S.C. 1101 note), as
2	amended by section 1222 of the John S
3	McCain National Defense Authorization Act for
4	Fiscal Year 2019 (Public Law 115–232);
5	(B) a report on the procedures and proc
6	esses used by the Chief of Mission to determine
7	whether an Afghan applicant for a special im-
8	migrant visa under section 602 of the Afghan
9	Allies Protection Act of 2009 (8 U.S.C. 1101
10	note) has experienced, is experiencing, or may
11	reasonably be expected to experience an ongo-
12	ing, serious threat as a result of the qualifying
13	service of the applicant; and
14	(C) a report on the procedures for back-
15	ground and security checks on Afghan appli-
16	cants for special immigrant visas under such
17	section.
18	SAUDI ARABIA
19	SEC. 7077. None of the funds appropriated by this
20	Act under the heading "International Military Education
21	and Training" may be made available for assistance for
22	the Government of Saudi Arabia

1	TITLE VIII
2	OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3	WAR ON TERRORISM
4	DEPARTMENT OF STATE
5	Administration of Foreign Affairs
6	DIPLOMATIC PROGRAMS
7	(INCLUDING TRANSFER OF FUNDS)
8	For an additional amount for "Diplomatic Pro-
9	grams", $\$3,225,971,000$, to remain available until Sep-
10	tember 30, 2020, of which $$2,626,122,000$ is for World-
11	wide Security Protection and shall remain available until
12	expended: Provided, That the Secretary of State may
13	transfer up to $\$5,000,000$ of the total funds made avail-
14	able under this heading to any other appropriation of any
15	department or agency of the United States, upon the con-
16	currence of the head of such department or agency, to sup-
17	port operations in, and assistance for, Afghanistan and
18	to carry out the provisions of the Foreign Assistance Act
19	of 1961: Provided further, That any such transfer shall
20	be subject to the regular notification procedures of the
21	Committees on Appropriations: Provided further, That
22	such amount is designated by the Congress for Overseas
23	Contingency Operations/Global War on Terrorism pursu-
24	ant to section $251(b)(2)(A)(ii)$ of the Balanced Budget
25	and Emergency Deficit Control Act of 1985.



1	OFFICE OF INSPECTOR GENERAL
2	For an additional amount for "Office of Inspector
3	General", \$54,900,000, to remain available until Sep-
4	tember 30, 2020, which shall be for the Special Inspector
5	General for Afghanistan Reconstruction (SIGAR) for re-
6	construction oversight: Provided, That printing and repro-
7	duction costs of SIGAR shall not exceed amounts for such
8	costs during fiscal year 2018: Provided further, That such
9	amount is designated by the Congress for Overseas Con-
10	tingency Operations/Global War on Terrorism pursuant to
11	section 251(b)(2)(A)(ii) of the Balanced Budget and
12	Emergency Deficit Control Act of 1985.
13	International Organizations
14	CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS
15	For an additional amount for "Contributions to
16	International Organizations", \$96,240,000: Provided,
17	That such amount is designated by the Congress for Over-
18	seas Contingency Operations/Global War on Terrorism
19	pursuant to section 251(b)(2)(A)(ii) of the Balanced
20	Budget and Emergency Deficit Control Act of 1985.
21	CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
22	ACTIVITIES
23	For an additional amount for "Contributions for
24	International Peacekeeping Activities", \$988,656,000, to
25	remain available until September 30 2020: Provided



1	That such amount is designated by the Congress for Over-
2	seas Contingency Operations/Global War on Terrorism
3	pursuant to section 251(b)(2)(A)(ii) of the Balanced
4	Budget and Emergency Deficit Control Act of 1985.
5	UNITED STATES AGENCY FOR INTERNATIONAL
6	DEVELOPMENT
7	Funds Appropriated to the President
8	OPERATING EXPENSES
9	For an additional amount for "Operating Expenses",
10	\$158,067,000, to remain available until September 30
11	2020: Provided, That such amount is designated by the
12	Congress for Overseas Contingency Operations/Global
13	War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
14	the Balanced Budget and Emergency Deficit Control Act
15	of 1985.
16	BILATERAL ECONOMIC ASSISTANCE
17	Funds Appropriated to the President
18	INTERNATIONAL DISASTER ASSISTANCE
19	For an additional amount for "International Disaster
20	Assistance", \$584,278,000, to remain available until ex-
21	pended: Provided, That such funds shall be apportioned
22	to the United States Agency for International Develop-
23	ment not later than 60 days after enactment of this Act
24	Provided further, That such amount is designated by the
25	Congress for Overseas Contingency Operations/Global



1	War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
2	the Balanced Budget and Emergency Deficit Control Act
3	of 1985.
4	TRANSITION INITIATIVES
5	For an additional amount for "Transition Initia-
6	tives", \$62,043,000, to remain available until expended:
7	Provided, That such amount is designated by the Congress
8	for Overseas Contingency Operations/Global War on Ter-
9	rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10	anced Budget and Emergency Deficit Control Act of 1985.
11	ECONOMIC SUPPORT FUND
12	For an additional amount for "Economic Support
13	Fund", \$1,172,336,000, to remain available until Sep-
14	tember 30, 2020: Provided, That such amount is des-
15	ignated by the Congress for Overseas Contingency Oper-
16	ations/Global War on Terrorism pursuant to section
17	251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18	Deficit Control Act of 1985.
19	DEPARTMENT OF STATE
20	MIGRATION AND REFUGEE ASSISTANCE
21	For an additional amount for "Migration and Ref-
22	ugee Assistance" to respond to refugee crises, including
23	in Africa, the Near East, South and Central Asia, and
24	Europe and Eurasia, \$1,404,124,000, to remain available
25	until expended, except that such funds shall not be made

available for the resettlement costs of refugees in the
United States: Provided, That such amount is designated
by the Congress for Overseas Contingency Operations/
Global War on Terrorism pursuant to section
251(b)(2)(A)(ii) of the Balanced Budget and Emergency
Deficit Control Act of 1985.
INTERNATIONAL SECURITY ASSISTANCE
DEPARTMENT OF STATE
PEACEKEEPING OPERATIONS
For an additional amount for "Peacekeeping Oper-
ations", \$325,213,000, to remain available until Sep-
tember 30, 2020: Provided, That such amount is des-
ignated by the Congress for Overseas Contingency Oper-
ations/Global War on Terrorism pursuant to section
251(b)(2)(A)(ii) of the Balanced Budget and Emergency
Deficit Control Act of 1985: Provided further, That funds
available for obligation under this heading in this Act may
be used to pay assessed expenses of international peace-
keeping activities in Somalia under the same terms and
conditions, as applicable, as funds appropriated under the
heading "Contributions for International Peacekeeping



22 Activities" in this Act, subject to the regular notification

23 procedures of the Committees on Appropriations.

1	Funds Appropriated to the President
2	FOREIGN MILITARY FINANCING PROGRAM
3	For an additional amount for "Foreign Military Fi-
4	nancing Program", \$229,372,000, to remain available
5	until September 30, 2020: Provided, That such amount
6	is designated by the Congress for Overseas Contingency
7	Operations/Global War on Terrorism pursuant to section
8	251(b)(2)(A)(ii) of the Balanced Budget and Emergency
9	Deficit Control Act of 1985.
10	GENERAL PROVISIONS
11	ADDITIONAL APPROPRIATIONS
12	SEC. 8001. Notwithstanding any other provision of
13	law, funds appropriated in this title are in addition to
14	amounts appropriated or otherwise made available in this
15	Act for fiscal year 2019.
16	EXTENSION OF AUTHORITIES AND CONDITIONS
17	Sec. 8002. Unless otherwise provided for in this Act,
18	the additional amounts appropriated by this title to appro-
19	priations accounts in this Act shall be available under the
20	authorities and conditions applicable to such appropria-
21	tions accounts.
22	TRANSFER OF FUNDS
23	Sec. 8003. (a) Transfer of Funds Between Ac-
24	COUNTS —



1	(1) Funds appropriated by this title in this Act
2	under the headings "Transition Initiatives" and
3	"Economic Support Fund" may be transferred to,
4	and merged with, funds appropriated by this title
5	under such headings.
6	(2) Funds appropriated by this title in this Act
7	under the headings "Peacekeeping Operations" and
8	"Foreign Military Financing Program" may be
9	transferred to, and merged with, funds appropriated
10	by this title under such headings.
11	(b) Global Security Contingency Fund.—Not-
12	withstanding any other provision of this section, up to
13	\$7,500,000 from funds appropriated under the headings
14	"Peacekeeping Operations" and "Foreign Military Fi-
15	nancing Program" by this title in this Act may be trans-
16	ferred to, and merged with, funds previously made avail-
17	able under the heading "Global Security Contingency
18	Fund".
19	(c) LIMITATION.—The transfer authority provided in
20	subsection (a) may only be exercised to address contin-
21	gencies.
22	(d) Notification.—The transfer authority provided
23	by this section shall be subject to prior consultation with,
24	and the regular notification procedures of, the Committees

25 on Appropriations: Provided, That such transfer authority

- 1 is in addition to any transfer authority otherwise available
- 2 under any other provision of law, including section 610
- 3 of the Foreign Assistance Act of 1961 which may be exer-
- 4 cised by the Secretary of State for the purposes of this
- 5 title.
- 6 RESCISSION
- 7 (INCLUDING RESCISSION OF FUNDS)
- 8 Sec. 8004. Of the unobligated balances from
- 9 amounts available under the heading "Diplomatic and
- 10 Consular Programs" in title II of the Security Assistance
- 11 Appropriations Act, 2017 (division B of Public Law 114–
- 12 254), \$301,200,000 are rescinded: *Provided*, That such
- 13 amount is designated by the Congress for Overseas Con-
- 14 tingency Operations/Global War on Terrorism pursuant to
- 15 section 251(b)(2)(A)(ii) of the Balanced Budget and
- 16 Emergency Deficit Control Act of 1985.
- 17 This division may be cited as the "Department of
- 18 State, Foreign Operations, and Related Programs Appro-
- 19 priations Act, 2019".



1	DIVISION F—TRANSPORTATION, HOUSING
2	AND URBAN DEVELOPMENT, AND RE-
3	LATED AGENCIES APPROPRIATIONS
4	ACT, 2019
5	TITLE I
6	DEPARTMENT OF TRANSPORTATION
7	OFFICE OF THE SECRETARY
8	SALARIES AND EXPENSES
9	For necessary expenses of the Office of the Secretary,
10	$\$113,\!910,\!000,$ of which not to exceed $\$3,\!065,\!000$ shall be
11	available for the immediate Office of the Secretary; not
12	to exceed $\$1,\!000,\!000$ shall be available for the immediate
13	Office of the Deputy Secretary; not to exceed $\$20,428,000$
14	shall be available for the Office of the General Counsel;
15	not to exceed $\$10,331,000$ shall be available for the Office
16	of the Under Secretary of Transportation for Policy; not
17	to exceed $\$14,\!300,\!000$ shall be available for the Office of
18	the Assistant Secretary for Budget and Programs; not to
19	exceed $\$2,\!546,\!000$ shall be available for the Office of the
20	Assistant Secretary for Governmental Affairs; not to ex-
21	ceed $\$29,\!244,\!000$ shall be available for the Office of the
22	Assistant Secretary for Administration; not to exceed
23	$\$2,\!142,\!000$ shall be available for the Office of Public Af-
24	fairs; not to exceed $\$1,859,000$ shall be available for the
25	Office of the Executive Secretariat; not to exceed



- 1 \$12,181,000 shall be available for the Office of Intel-
- 2 ligence, Security, and Emergency Response; and not to ex-
- 3 ceed \$16,814,000 shall be available for the Office of the
- 4 Chief Information Officer: *Provided*, That the Secretary
- 5 of Transportation is authorized to transfer funds appro-
- 6 priated for any office of the Office of the Secretary to any
- 7 other office of the Office of the Secretary: Provided fur-
- 8 ther, That no appropriation for any office shall be in-
- 9 creased or decreased by more than 7 percent by all such
- 10 transfers: Provided further, That notice of any change in
- 11 funding greater than 7 percent shall be submitted for ap-
- 12 proval to the House and Senate Committees on Appropria-
- 13 tions: Provided further, That not to exceed \$60,000 shall
- 14 be for allocation within the Department for official recep-
- 15 tion and representation expenses as the Secretary may de-
- 16 termine: Provided further, That notwithstanding any other
- 17 provision of law, excluding fees authorized in Public Law
- 18 107–71, there may be credited to this appropriation up
- 19 to \$2,500,000 in funds received in user fees: Provided fur-
- 20 ther, That none of the funds provided in this Act shall
- 21 be available for the position of Assistant Secretary for
- 22 Public Affairs.
- 23 RESEARCH AND TECHNOLOGY
- 24 For necessary expenses related to the Office of the
- 25 Assistant Secretary for Research and Technology,



- 1 \$8,471,000, of which \$2,218,000 shall remain available
- 2 until September 30, 2021: Provided, That there may be
- 3 credited to this appropriation, to be available until ex-
- 4 pended, funds received from States, counties, municipali-
- 5 ties, other public authorities, and private sources for ex-
- 6 penses incurred for training: Provided further, That any
- 7 reference in law, regulation, judicial proceedings, or else-
- 8 where to the Research and Innovative Technology Admin-
- 9 istration shall continue to be deemed to be a reference to
- 10 the Office of the Assistant Secretary for Research and
- 11 Technology of the Department of Transportation.
- 12 NATIONAL INFRASTRUCTURE INVESTMENTS
- For capital investments in surface transportation in-
- 14 frastructure, \$900,000,000, to remain available through
- 15 September 30, 2021: Provided, That the Secretary of
- 16 Transportation shall distribute funds provided under this
- 17 heading as discretionary grants to be awarded to a State,
- 18 local government, transit agency, port authority, or a col-
- 19 laboration among such entities on a competitive basis for
- 20 projects that will have a significant local or regional im-
- 21 pact: Provided further, That projects eligible for funding
- 22 provided under this heading shall include, but not be lim-
- 23 ited to, highway or bridge projects eligible under title 23,
- 24 United States Code; public transportation projects eligible
- 25 under chapter 53 of title 49, United States Code; pas-



1	senger and freight rail transportation projects; and por
2	infrastructure investments (including inland port infra
3	structure and land ports of entry): Provided further, That
4	of the amount made available under this heading, the Sec
5	retary may use an amount not to exceed \$15,000,000 for
6	the planning, preparation or design of projects eligible for
7	funding under this heading: Provided further, That grants
8	awarded under the previous proviso shall not be subject
9	to a minimum grant size: Provided further, That the Sec.
10	retary may use up to 20 percent of the funds made avail-
11	able under this heading for the purpose of paying the sub-
12	sidy and administrative costs of projects eligible for Fed
13	eral credit assistance under chapter 6 of title 23, United
14	States Code, or sections 501 through 504 of the Railroad
15	Revitalization and Regulatory Reform Act of 1976 (Public
16	Law 94–210), as amended, if the Secretary finds that
17	such use of the funds would advance the purposes of this
18	paragraph: Provided further, That in distributing funds
19	provided under this heading, the Secretary shall take such
20	measures so as to ensure an equitable geographic distribu
21	tion of funds, an appropriate balance in addressing the
22	needs of urban and rural areas, and the investment in a
23	variety of transportation modes: Provided further, That a
24	grant funded under this heading shall be not less than
25	\$5,000,000 and not greater than \$25,000,000; Provided



- 1 further, That not more than 10 percent of the funds made
- 2 available under this heading may be awarded to projects
- 3 in a single State: Provided further, That the Federal share
- 4 of the costs for which an expenditure is made under this
- 5 heading shall be, at the option of the recipient, up to 80
- 6 percent: Provided further, That the Secretary shall give
- 7 priority to projects that require a contribution of Federal
- 8 funds in order to complete an overall financing package:
- 9 Provided further, That of the funds made available under
- 10 this heading not more than 50 percent shall be for projects
- 11 located in a rural area with a population equal to or less
- 12 than 200,000: Provided further, That for projects located
- 13 in a rural area, the minimum grant size shall be
- 14 \$1,000,000 and the Secretary may increase the Federal
- 15 share of costs above 80 percent: Provided further, That
- 16 of the funds made available under this heading not more
- 17 than 50 percent shall be for projects located in an urban-
- 18 ized area with a population of more than 200,000: Pro-
- 19 vided further, That funds for an urbanized area under the
- 20 previous proviso may be obligated to projects in the metro-
- 21 politan area established under section 134 of title 23,
- 22 United States Code, that encompasses such urbanized
- 23 area: Provided further, That projects conducted using
- 24 funds provided under this heading must comply with the
- 25 requirements of subchapter IV of chapter 31 of title 40,



United States Code: Provided further, That the Secretary
shall conduct a new competition to select the grants and
credit assistance awarded under this heading: $Provided$
further, That the Secretary may set aside not more than
3 percent of the funds provided under this heading, and
may transfer portions of those funds to the Administrators
of the Federal Highway Administration, the Federal Tran-
sit Administration, the Federal Railroad Administration,
and the Maritime Administration to fund the award and
oversight of grants and credit assistance made under the
National Infrastructure Investments program: $Provided$
further, That the Secretary shall consider and award
projects based solely on the selection criteria from the fis-
cal year 2017 Notice of Funding Opportunity: $Provided$
further, That, notwithstanding the previous proviso, the
Secretary shall not use the Federal share or an applicant's
ability to generate non-Federal revenue as a selection cri-
teria in awarding projects: Provided further, That the Sec-
retary shall issue the Notice of Funding Opportunity no
later than 60 days after enactment of this Act: $Provided$
further, That such Notice of Funding Opportunity shall
require application submissions 90 days after the pub-
lishing of such Notice: Provided further, That of the appli-



24 cations submitted under the previous two provisos, the

25 Secretary shall make grants no later than 270 days after

- 1 enactment of this Act in such amounts that the Secretary
- 2 determines: Provided further, That such sums provided for
- 3 national infrastructure investments for passenger rail
- 4 transportation projects under title I of division C of the
- 5 Consolidated and Further Continuing Appropriations Act,
- 6 2012 (Public Law 112-55; 125 Stat. 641), shall remain
- 7 available for expenditure through fiscal year 2019 for the
- 8 liquidation of valid obligations of active grants awarded
- 9 with this funding: Provided further, That such sums pro-
- 10 vided for national infrastructure investments for port in-
- 11 frastructure projects under title VIII of division F of the
- 12 Consolidated and Further Continuing Appropriations Act,
- 13 2013 (Public Law 113-6; 127 Stat. 432) shall remain
- 14 available through fiscal year 2020 for the liquidation of
- 15 valid obligations of active grants awarded with this fund-
- 16 ing: Provided further, That the 2 preceding provisos shall
- 17 be applied as if they were in effect on September 30, 2018.
- 18 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
- 19 FINANCE BUREAU
- 20 For necessary expenses of the National Surface
- 21 Transportation and Innovative Finance Bureau as author-
- 22 ized by 49 U.S.C. 116, \$5,000,000, to remain available
- 23 until expended: Provided, That the Secretary shall notify
- 24 the House and Senate Committees on Appropriations no
- 25 less than 15 days prior to exercising the transfer authority



1	granted under section 116(h) of title 49, United States
2	Code.
3	FINANCIAL MANAGEMENT CAPITAL
4	For necessary expenses for upgrading and enhancing
5	the Department of Transportation's financial systems and
6	re-engineering business processes, $\$2,000,000$, to remain
7	available through September 30, 2020.
8	CYBER SECURITY INITIATIVES
9	For necessary expenses for cyber security initiatives,
10	including necessary upgrades to wide area network and
11	information technology infrastructure, improvement of
12	network perimeter controls and identity management,
13	testing and assessment of information technology against
14	business, security, and other requirements, implementa-
15	tion of Federal cyber security initiatives and information
16	infrastructure enhancements, and implementation of en-
17	hanced security controls on network devices, $\$15,000,000,$
18	to remain available through September 30, 2020.
19	OFFICE OF CIVIL RIGHTS
20	For necessary expenses of the Office of Civil Rights,
21	\$9,470,000.
22	TRANSPORTATION PLANNING, RESEARCH, AND
23	DEVELOPMENT
24	For necessary expenses for conducting transportation
25	nlanning research systems development development ac-



- 1 tivities, and making grants, \$7,879,000, to remain avail-
- 2 able until expended: *Provided*, That of such amount,
- 3 \$1,000,000 shall be for necessary expenses of the Inter-
- 4 agency Infrastructure Permitting Improvement Center
- 5 (IIPIC): Provided further, That there may be transferred
- 6 to this appropriation, to remain available until expended,
- 7 amounts transferred from other Federal agencies for ex-
- 8 penses incurred under this heading for IIPIC activities not
- 9 related to transportation infrastructure: Provided further,
- 10 That the tools and analysis developed by the IIPIC shall
- 11 be available to other Federal agencies for the permitting
- 12 and review of major infrastructure projects not related to
- 13 transportation only to the extent that other Federal agen-
- 14 cies provide funding to the Department as provided for
- 15 under the previous proviso.
- 16 WORKING CAPITAL FUND
- 17 For necessary expenses for operating costs and cap-
- 18 ital outlays of the Working Capital Fund, not to exceed
- 19 \$319,793,000, shall be paid from appropriations made
- 20 available to the Department of Transportation: Provided,
- 21 That such services shall be provided on a competitive basis
- 22 to entities within the Department of Transportation: Pro-
- 23 vided further, That the above limitation on operating ex-
- 24 penses shall not apply to non-DOT entities: Provided fur-
- 25 ther, That no funds appropriated in this Act to an agency



- 1 of the Department shall be transferred to the Working
- 2 Capital Fund without majority approval of the Working
- 3 Capital Fund Steering Committee and approval of the
- 4 Secretary: Provided further, That no assessments may be
- 5 levied against any program, budget activity, subactivity or
- 6 project funded by this Act unless notice of such assess-
- 7 ments and the basis therefor are presented to the House
- 8 and Senate Committees on Appropriations and are ap-
- 9 proved by such Committees.
- 10 minority business resource center program
- 11 For necessary expenses of the Minority Business Re-
- 12 source Center, the provision of financial education out-
- 13 reach activities to eligible transportation-related small
- 14 businesses, the monitoring of existing loans in the guaran-
- 15 teed loan program, and the modification of such loans of
- 16 the Minority Business Resource Center, \$500,000, as au-
- 17 thorized by 49 U.S.C. 332; Provided, That notwith-
- 18 standing that section, these funds may be for business op-
- 19 portunities related to any mode of transportation.
- 20 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
- 21 OUTREACH
- For necessary expenses for small and disadvantaged
- 23 business utilization and outreach activities, \$3,488,000, to
- 24 remain available until September 30, 2020: Provided,
- 25 That notwithstanding 49 U.S.C. 332, these funds may be



1	used for business opportunities related to any mode of
2	transportation.
3	PAYMENTS TO AIR CARRIERS
4	(AIRPORT AND AIRWAY TRUST FUND)
5	In addition to funds made available from any other
6	source to carry out the essential air service program under
7	49 U.S.C. 41731 through 41742, \$175,000,000, to be de-
8	rived from the Airport and Airway Trust Fund, to remain
9	available until expended: Provided, That in determining
10	between or among carriers competing to provide service
11	to a community, the Secretary may consider the relative
12	subsidy requirements of the carriers: Provided further,
13	That basic essential air service minimum requirements
14	shall not include the 15-passenger capacity requirement
15	under subsection 41732(b)(3) of title 49, United States
16	Code: Provided further, That none of the funds in this Act
17	or any other Act shall be used to enter into a new contract
18	with a community located less than 40 miles from the
19	nearest small hub airport before the Secretary has nego-
20	tiated with the community over a local cost share: $Pro-$
21	$vided\ further,$ That amounts authorized to be distributed
22	for the essential air service program under subsection
23	41742(b) of title 49, United States Code, shall be made
24	available immediately from amounts otherwise provided to
25	the Administrator of the Federal Aviation Administration:



- 1 Provided further, That the Administrator may reimburse
- 2 such amounts from fees credited to the account estab-
- 3 lished under section 45303 of title 49, United States Code.
- 4 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
- 5 SECRETARY OF TRANSPORTATION
- 6 Sec. 101. None of the funds made available in this
- 7 Act to the Department of Transportation may be obligated
- 8 for the Office of the Secretary of Transportation to ap-
- 9 prove assessments or reimbursable agreements pertaining
- 10 to funds appropriated to the modal administrations in this
- 11 Act, except for activities underway on the date of enact-
- 12 ment of this Act, unless such assessments or agreements
- 13 have completed the normal reprogramming process for
- 14 Congressional notification.
- 15 Sec. 102. The Secretary shall post on the Web site
- 16 of the Department of Transportation a schedule of all
- 17 meetings of the Council on Credit and Finance, including
- 18 the agenda for each meeting, and require the Council on
- 19 Credit and Finance to record the decisions and actions
- 20 of each meeting.
- 21 Sec. 103. In addition to authority provided by section
- 22 327 of title 49, United States Code, the Department's
- 23 Working Capital Fund is hereby authorized to provide
- 24 partial or full payments in advance and accept subsequent
- 25 reimbursements from all Federal agencies from available



1	funds for transit benefit distribution services that are nec
2	essary to carry out the Federal transit pass transportation
3	fringe benefit program under Executive Order No. 13150
4	and section 3049 of Public Law 109-59: Provided, That
5	the Department shall maintain a reasonable operating re-
6	serve in the Working Capital Fund, to be expended in ad-
7	vance to provide uninterrupted transit benefits to Govern
8	ment employees: Provided further, That such reserve wil
9	not exceed one month of benefits payable and may be used
10	only for the purpose of providing for the continuation of
11	transit benefits: Provided further, That the Working Cap
12	ital Fund will be fully reimbursed by each customer agen-
13	cy from available funds for the actual cost of the transit
14	benefit.
15	FEDERAL AVIATION ADMINISTRATION
16	OPERATIONS
17	(AIRPORT AND AIRWAY TRUST FUND)
18	For necessary expenses of the Federal Aviation Ad-
19	ministration, not otherwise provided for, including oper-
20	ations and research activities related to commercial space
21	transportation, administrative expenses for research and
22	development, establishment of air navigation facilities, the
23	operation (including leasing) and maintenance of aircraft
24	subsidizing the cost of aeronautical charts and maps solo
25	to the public, the lease or purchase of passenger motor



- 1 vehicles for replacement only, in addition to amounts made
- 2 available by Public Law 112–95, \$10,410,758,000, to re-
- 3 main available until September 30, 2020, of which
- 4 \$9,833,400,000 shall be derived from the Airport and Air-
- 5 way Trust Fund, of which not to exceed \$7,841,720,000
- 6 shall be available for air traffic organization activities; not
- 7 to exceed \$1,336,969,000 shall be available for aviation
- 8 safety activities; not to exceed \$24,949,000 shall be avail-
- 9 able for commercial space transportation activities; not to
- 10 exceed \$816,398,000 shall be available for finance and
- 11 management activities; not to exceed \$61,258,000 shall be
- 12 available for NextGen and operations planning activities;
- 13 not to exceed \$114,165,000 shall be available for security
- 14 and hazardous materials safety; and not to exceed
- 15 \$215,299,000 shall be available for staff offices: Provided,
- 16 That not to exceed 5 percent of any budget activity, except
- 17 for aviation safety budget activity, may be transferred to
- 18 any budget activity under this heading: Provided further,
- 19 That no transfer may increase or decrease any appropria-
- 20 tion by more than 5 percent: Provided further, That any
- 21 transfer in excess of 5 percent shall be treated as a re-
- 22 programming of funds under section 405 of this Act and
- 23 shall not be available for obligation or expenditure except
- 24 in compliance with the procedures set forth in that section:
- 25 Provided further, That not later than March 31 of each



- 1 fiscal year hereafter, the Administrator of the Federal
- 2 Aviation Administration shall transmit to Congress an an-
- 3 nual update to the report submitted to Congress in De-
- 4 cember 2004 pursuant to section 221 of Public Law 108-
- 5 176: Provided further, That the amount herein appro-
- 6 priated shall be reduced by \$100,000 for each day after
- 7 March 31 that such report has not been submitted to the
- 8 Congress: Provided further, That not later than March 31
- 9 of each fiscal year hereafter, the Administrator shall
- 10 transmit to Congress a companion report that describes
- 11 a comprehensive strategy for staffing, hiring, and training
- 12 flight standards and aircraft certification staff in a format
- 13 similar to the one utilized for the controller staffing plan,
- 14 including stated attrition estimates and numerical hiring
- 15 goals by fiscal year: Provided further, That the amount
- 16 herein appropriated shall be reduced by \$100,000 per day
- 17 for each day after March 31 that such report has not been
- 18 submitted to Congress: Provided further, That funds may
- 19 be used to enter into a grant agreement with a nonprofit
- 20 standard-setting organization to assist in the development
- 21 of aviation safety standards: Provided further, That none
- 22 of the funds in this Act shall be available for new appli-
- 23 cants for the second career training program: Provided
- 24 further, That none of the funds in this Act shall be avail-
- 25 able for the Federal Aviation Administration to finalize



1	or implement any regulation that would promulgate new
2	aviation user fees not specifically authorized by law after
3	the date of the enactment of this Act: Provided further,
4	That there may be credited to this appropriation, as off-
5	setting collections, funds received from States, counties,
6	municipalities, foreign authorities, other public authori-
7	ties, and private sources for expenses incurred in the pro-
8	vision of agency services, including receipts for the mainte-
9	nance and operation of air navigation facilities, and for
10	issuance, renewal or modification of certificates, including
11	airman, aircraft, and repair station certificates, or for
12	tests related thereto, or for processing major repair or al-
13	teration forms: $Provided\ further,$ That of the funds appro-
14	priated under this heading, not less than \$168,000,000
15	shall be used to fund direct operations of the current 254
16	air traffic control towers in the contract tower program,
17	including the contract tower cost share program, and any
18	airport that is currently qualified or that will qualify for
19	the program during the fiscal year: Provided further, That
20	none of the funds in this Act for aeronautical charting
21	and cartography are available for activities conducted by,
22	or coordinated through, the Working Capital Fund: $Pro-$
23	vided further, That none of the funds appropriated or oth-
24	erwise made available by this Act or any other Act may
25	be used to eliminate the Contract Weather Observers pro-



1	gram at any airport: Provided further, That of the amount
2	appropriated under this heading, up to \$6,000,000 shall
3	be used for providing matching funds to qualified commer-
4	cial entities seeking to demonstrate or validate tech-
5	nologies that the Federal Aviation Administration con-
6	siders essential to the safe integration of unmanned air-
7	craft systems (UAS) in the National Airspace System at
8	Federal Aviation Administration designated UAS test
9	sites: Provided further, That not later than 60 days after
10	the date of enactment of this Act, the Administrator of
11	the Federal Aviation Administration shall identify essen-
12	tial integration technologies that could be demonstrated
13	or validated at test sites designated in accordance with
14	the preceding proviso.
15	FACILITIES AND EQUIPMENT
16	(AIRPORT AND AIRWAY TRUST FUND)
17	For necessary expenses, not otherwise provided for,
18	for acquisition, establishment, technical support services,
19	improvement by contract or purchase, and hire of national

21 ment, as authorized under part A of subtitle VII of title 22 49, United States Code, including initial acquisition of 23 necessary sites by lease or grant; engineering and service 24 testing, including construction of test facilities and acqui-

25 sition of necessary sites by lease or grant; construction

20 airspace systems and experimental facilities and equip-

- 1 and furnishing of quarters and related accommodations
- 2 for officers and employees of the Federal Aviation Admin-
- 3 istration stationed at remote localities where such accom-
- 4 modations are not available; and the purchase, lease, or
- 5 transfer of aircraft from funds available under this head-
- 6 ing, including aircraft for aviation regulation and certifi-
- 7 cation; to be derived from the Airport and Airway Trust
- 8 Fund, \$3,000,000,000, of which \$512,823,000 shall re-
- 9 main available until September 30, 2020, \$2,372,127,000
- 10 shall remain available until September 30, 2021, and
- 11 \$115,050,000 shall remain available until expended: Pro-
- 12 vided, That there may be credited to this appropriation
- 13 funds received from States, counties, municipalities, other
- 14 public authorities, and private sources, for expenses in-
- 15 curred in the establishment, improvement, and moderniza-
- 16 tion of national airspace systems: Provided further, That
- 17 no later than March 31, the Secretary of Transportation
- 18 shall transmit to the Congress an investment plan for the
- 19 Federal Aviation Administration which includes funding
- 20 for each budget line item for fiscal years 2020 through
- 21 2024, with total funding for each year of the plan con-
- 22 strained to the funding targets for those years as esti-
- 23 mated and approved by the Office of Management and
- 24 Budget.



1	RESEARCH, ENGINEERING, AND DEVELOPMENT
2	(AIRPORT AND AIRWAY TRUST FUND)
3	For necessary expenses, not otherwise provided for
4	for research, engineering, and development, as authorized
5	under part A of subtitle VII of title 49, United States
6	Code, including construction of experimental facilities and
7	acquisition of necessary sites by lease or grant
8	\$191,100,000, to be derived from the Airport and Airway
9	Trust Fund and to remain available until September 30
10	2021: Provided, That there may be credited to this appro-
11	priation as offsetting collections, funds received from
12	States, counties, municipalities, other public authorities
13	and private sources, which shall be available for expenses
14	incurred for research, engineering, and development: Pro-
15	vided further, That funds made available under this head-
16	ing shall be used in accordance with the explanatory state-
17	ment accompanying this Act: Provided further, That not
18	to exceed 10 percent of any funding level specified under
19	this heading in the explanatory statement accompanying
20	this Act may be transferred to any other funding level
21	specified under this heading in the explanatory statement
22	accompanying this Act: Provided further, That no transfer
23	may increase or decrease any funding level by more than
24	10 percent: Provided further, That any transfer in excess
25	of 10 percent shall be treated as a reprogramming of



1	funds under section 405 of this Act and shall not be avail-
2	able for obligation or expenditure except in compliance
3	with the procedures set forth in that section.
4	GRANTS-IN-AID FOR AIRPORTS
5	(LIQUIDATION OF CONTRACT AUTHORIZATION)
6	(LIMITATION ON OBLIGATIONS)
7	(AIRPORT AND AIRWAY TRUST FUND)
8	(INCLUDING TRANSFER OF FUNDS)
9	For liquidation of obligations incurred for grants-in-
10	aid for airport planning and development, and noise com-
11	patibility planning and programs as authorized under sub-
12	chapter I of chapter 471 and subchapter I of chapter 475
13	of title 49, United States Code, and under other law au-
14	thorizing such obligations; for procurement, installation, $% \left(1\right) =\left(1\right) \left(1\right) \left$
15	and commissioning of runway incursion prevention devices
16	and systems at airports of such title; for grants authorized
17	under section 41743 of title 49, United States Code; and
18	for inspection activities and administration of airport safe-
19	ty programs, including those related to airport operating
20	certificates under section 44706 of title 49 , United States
21	Code, $\$3,000,000,000$, to be derived from the Airport and
22	Airway Trust Fund and to remain available until ex-
23	pended: $Provided$, That none of the funds under this head-
24	ing shall be available for the planning or execution of pro-
25	grams the obligations for which are in excess of



- 1 \$3,350,000,000 in fiscal year 2019, notwithstanding sec-
- 2 tion 47117(g) of title 49, United States Code: Provided
- 3 further, That none of the funds under this heading shall
- 4 be available for the replacement of baggage conveyor sys-
- 5 tems, reconfiguration of terminal baggage areas, or other
- 6 airport improvements that are necessary to install bulk ex-
- 7 plosive detection systems: Provided further, That notwith-
- 8 standing section 47109(a) of title 49, United States Code,
- 9 the Government's share of allowable project costs under
- 10 paragraph (2) for subgrants or paragraph (3) of that sec-
- 11 tion shall be 95 percent for a project at other than a large
- 12 or medium hub airport that is a successive phase of a
- 13 multi-phased construction project for which the project
- 14 sponsor received a grant in fiscal year 2011 for the con-
- 15 struction project: Provided further, That notwithstanding
- 16 any other provision of law, of funds limited under this
- 17 heading, not more than \$112,600,000 shall be available
- 18 for administration, not less than \$15,000,000 shall be
- 19 available for the Airport Cooperative Research Program,
- 20 not less than \$33,210,000 shall be available for Airport
- 21 Technology Research, and \$10,000,000, to remain avail-
- 22 able until expended, shall be available and transferred to
- 23 "Office of the Secretary, Salaries and Expenses" to carry
- 24 out the Small Community Air Service Development Pro-
- 25 gram: Provided further, That in addition to airports eligi-

- 1 ble under section 41743 of title 49, United States Code,
- 2 such program may include the participation of an airport
- 3 that serves a community or consortium that is not larger
- 4 than a small hub airport, according to FAA hub classifica-
- 5 tions effective at the time the Office of the Secretary
- 6 issues a request for proposals.
- 7 Grants-in-aid for airports
- 8 For an additional amount for "Grants-In-Aid for Air-
- 9 ports", to enable the Secretary of Transportation to make
- 10 grants for projects as authorized by subchapter 1 of chap-
- 11 ter 471 and subchapter 1 of chapter 475 of title 49,
- 12 United States Code, \$500,000,000, to remain available
- 13 through September 30, 2021: Provided, That amounts
- 14 made available under this heading shall be derived from
- 15 the general fund, and such funds shall not be subject to
- 16 apportionment formulas, special apportionment categories,
- 17 or minimum percentages under chapter 471: Provided fur-
- 18 ther, That the Secretary shall distribute funds provided
- 19 under this heading as discretionary grants to airports:
- 20 Provided further, That the amount made available under
- 21 this heading shall not be subject to any limitation on obli-
- 22 gations for the Grants-in-Aid for Airports program set
- 23 forth in any Act: Provided further, That the Administrator
- 24 of the Federal Aviation Administration may retain up to
- 25 0.5 percent of the funds provided under this heading to



- 1 fund the award and oversight by the Administrator of
- 2 grants made under this heading.
- 3 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION
- 4 ADMINISTRATION
- 5 Sec. 110. None of the funds in this Act may be used
- 6 to compensate in excess of 600 technical staff-years under
- 7 the federally funded research and development center con-
- 8 tract between the Federal Aviation Administration and the
- 9 Center for Advanced Aviation Systems Development dur-
- 10 ing fiscal year 2019.
- 11 Sec. 111. None of the funds in this Act shall be used
- 12 to pursue or adopt guidelines or regulations requiring air-
- 13 port sponsors to provide to the Federal Aviation Adminis-
- 14 tration without cost building construction, maintenance,
- 15 utilities and expenses, or space in airport sponsor-owned
- 16 buildings for services relating to air traffic control, air
- 17 navigation, or weather reporting: *Provided*, That the pro-
- 18 hibition of funds in this section does not apply to negotia-
- 19 tions between the agency and airport sponsors to achieve
- 20 agreement on "below-market" rates for these items or to
- 21 grant assurances that require airport sponsors to provide
- 22 land without cost to the Federal Aviation Administration
- 23 for air traffic control facilities.
- 24 Sec. 112. The Administrator of the Federal Aviation
- 25 Administration may reimburse amounts made available to



- 1 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
- 2 49 U.S.C. 45303 and any amount remaining in such ac-
- 3 count at the close of that fiscal year may be made available
- 4 to satisfy section 41742(a)(1) for the subsequent fiscal
- 5 year.
- 6 Sec. 113. Amounts collected under section 40113(e)
- 7 of title 49, United States Code, shall be credited to the
- 8 appropriation current at the time of collection, to be
- 9 merged with and available for the same purposes of such
- 10 appropriation.
- 11 Sec. 114. None of the funds in this Act shall be avail-
- 12 able for paying premium pay under subsection 5546(a) of
- 13 title 5, United States Code, to any Federal Aviation Ad-
- 14 ministration employee unless such employee actually per-
- 15 formed work during the time corresponding to such pre-
- 16 mium pay.
- 17 Sec. 115. None of the funds in this Act may be obli-
- 18 gated or expended for an employee of the Federal Aviation
- 19 Administration to purchase a store gift card or gift certifi-
- 20 cate through use of a Government-issued credit card.
- 21 Sec. 116. None of the funds in this Act may be obli-
- 22 gated or expended for retention bonuses for an employee
- 23 of the Federal Aviation Administration without the prior
- 24 written approval of the Assistant Secretary for Adminis-
- 25 tration of the Department of Transportation.



- 1 Sec. 117. Notwithstanding any other provision of
- 2 law, none of the funds made available under this Act or
- 3 any prior Act may be used to implement or to continue
- 4 to implement any limitation on the ability of any owner
- 5 or operator of a private aircraft to obtain, upon a request
- 6 to the Administrator of the Federal Aviation Administra-
- 7 tion, a blocking of that owner's or operator's aircraft reg-
- 8 istration number from any display of the Federal Aviation
- 9 Administration's Aircraft Situational Display to Industry
- 10 data that is made available to the public, except data made
- 11 available to a Government agency, for the noncommercial
- 12 flights of that owner or operator.
- 13 Sec. 118. None of the funds in this Act shall be avail-
- 14 able for salaries and expenses of more than eight political
- 15 and Presidential appointees in the Federal Aviation Ad-
- 16 ministration.
- 17 Sec. 119. None of the funds made available under
- 18 this Act may be used to increase fees pursuant to section
- 19 44721 of title 49, United States Code, until the Federal
- 20 Aviation Administration provides to the House and Senate
- 21 Committees on Appropriations a report that justifies all
- 22 fees related to aeronautical navigation products and ex-
- 23 plains how such fees are consistent with Executive Order
- **24** 13642.



- 1 Sec. 119A. None of the funds in this Act may be
- 2 used to close a regional operations center of the Federal
- 3 Aviation Administration or reduce its services unless the
- 4 Administrator notifies the House and Senate Committees
- 5 on Appropriations not less than 90 full business days in
- 6 advance.
- 7 Sec. 119B. None of the funds appropriated or lim-
- 8 ited by this Act may be used to change weight restrictions
- 9 or prior permission rules at Teterboro airport in
- 10 Teterboro, New Jersey.
- 11 Sec. 119C. None of the funds provided under this
- 12 Act may be used by the Administrator of the Federal Avia-
- 13 tion Administration to withhold from consideration and
- 14 approval any new application for participation in the Con-
- 15 tract Tower Program, or for reevaluation of Cost-share
- 16 Program participants as long as the Federal Aviation Ad-
- 17 ministration has received an application from the airport,
- 18 and as long as the Administrator determines such tower
- 19 is eligible using the factors set forth in the Federal Avia-
- 20 tion Administration report, Establishment and Dis-
- 21 continuance Criteria for Airport Traffic Control Towers
- 22 (FAA–APO–90–7 as of August, 1990).
- 23 Sec. 119D. Notwithstanding any other provision of
- 24 law, none of the funds made available in this Act may be
- 25 obligated or expended to limit the use of an Organization



- 1 Designation Authorization's (ODA) delegated functions
- 2 documented in its procedures manual on a type certifi-
- 3 cation project unless the Administrator documents a sys-
- 4 temic airworthiness noncompliance performance issue as
- 5 a result of inspection or oversight that the safety of air
- 6 commerce requires a limitation with regard to a specific
- 7 authorization or where an ODA's capability has not been
- 8 previously established in terms of a new compliance meth-
- 9 od or design feature: Provided, That in such cases FAA
- 10 shall work with the ODA holder if requested to develop
- 11 the capability to execute that function safely, efficiently
- 12 and effectively: Provided further, That this section does
- 13 not limit the authority of the Federal Aviation Administra-
- 14 tion to pursue emergency actions on ODAs where specific
- 15 safety issues are noted.
- 16 Sec. 119E. None of the funds made available by this
- 17 Act and apportioned under section 47114(d) of title 49,
- 18 United States Code, shall be made available for construc-
- 19 tion of a storage building, or a portion of such building,
- 20 to shelter snow equipment in excess of equipment needs
- 21 established by standards issued by the Secretary of Trans-
- 22 portation that is owned by an airport categorized as a local
- 23 general aviation airport as indicated in Federal Aviation
- 24 Administration 2017- 2021 National Plan of Integrated



1	Airport Systems (NPIAS) report unless such airport spon-
2	sor certifies conformity with the following:
3	(1) The storage building, or portion thereof, to
4	be constructed will be used to store snow removal
5	equipment exclusively used for clearing airfield pave-
6	ment of snow and ice following a weather event.
7	(2) The 30-year annual snowfall normal of the
8	nearest weather station based on the National Oce-
9	anic and Atmospheric Administration Summary of
10	Monthly Normals 1981-2010 exceeds 26 inches.
11	(3) The airport serves as a base for a medical
12	air ambulance transport aircraft; (d)that the airport
13	master record (Form 5010-1) effective on September
14	14, 2017 for the airport indicates 45 based aircraft
15	consisting of single engine, multiple engine, and jet
16	engine aircraft.
17	(4) The airport sponsor will complete design of
18	the storage building not later than fiscal year 2018
19	and initiate construction of the storage building not
20	later than fiscal year 2019.
21	(5) The area of the storage building, or portion
22	thereof, to be funded under this section shall not ex-
23	ceed 6,000 square feet.
24	Sec. 119F. (a) Terminal Aerodrome Fore-
25	CAST.—The Administrator shall permit an air carrier op-



- 1 eration under part 121 of title 14, Code of Federal Regu-
- 2 lations, to operate to a destination determined to be under
- 3 visual flight rules without a Terminal Aerodrome Forecast
- 4 or Meteorological Aerodrome Report if a current Area
- 5 Forecast, supplemented by other local weather observa-
- 6 tions or reports, is available, and an alternate airport that
- 7 has an available Terminal Aerodrome Forecast and weath-
- 8 er report is specified. The air carrier shall have approved
- 9 procedures for dispatch and en route weather evaluation
- 10 and shall operate under instrument flight rules en route
- 11 to the destination.
- 12 (b) LIMITATION.—Without a written finding of neces-
- 13 sity, based on objective and historical evidence of immi-
- 14 nent threat to safety, the Administrator shall not promul-
- 15 gate any operation specification, policy, or guidance docu-
- 16 ment that is more restrictive than, or requires procedures
- 17 that are not expressly stated in, the regulations.
- 18 Sec. 119G. Of the funds provided under the heading
- 19 "Grants-in-aid for Airports", up to \$3,500,000 shall be
- 20 for necessary expenses, including an independent
- 21 verification regime, to provide reimbursement to airport
- 22 sponsors that do not provide gateway operations and pro-
- 23 viders of general aviation ground support services located
- 24 at those airports closed during a temporary flight restric-
- 25 tion (TFR) for any residence of the President that is des-



1	ignated or identified to be secured by the United States
2	Secret Service, and for direct and incremental financial
3	losses incurred while such airports are closed solely due
4	to the actions of the Federal Government: $Provided$, That
5	no funds shall be obligated or distributed to airport spon-
6	sors that do not provide gateway operations and providers
7	of general aviation ground support services until an inde-
8	pendent audit is completed: Provided further, That losses
9	incurred as a result of violations of law, or through fault
10	or negligence, of such operators and service providers or
11	of third parties (including airports) are not eligible for re-
12	imbursements: Provided further, That obligation and ex-
13	penditure of funds are conditional upon full release of the
14	United States Government for all claims for financial
15	losses resulting from such actions.
16	FEDERAL HIGHWAY ADMINISTRATION
17	LIMITATION ON ADMINISTRATIVE EXPENSES
18	(HIGHWAY TRUST FUND)
19	(INCLUDING TRANSFER OF FUNDS)
20	Not to exceed \$446,444,304, together with advances
21	and reimbursements received by the Federal Highway Ad-
22	ministration, shall be obligated for necessary expenses for
23	administration and operation of the Federal Highway Ad-
24	ministration. In addition, \$3,248,000 shall be transferred

1	to the Appalachian Regional Commission in accordance
2	with section 104(a) of title 23, United States Code.
3	FEDERAL-AID HIGHWAYS
4	(LIMITATION ON OBLIGATIONS)
5	(HIGHWAY TRUST FUND)
6	Funds available for the implementation or execution
7	of Federal-aid highway and highway safety construction
8	programs authorized under titles 23 and 49, United States
9	Code, and the provisions of the Fixing America's Surface
10	Transportation Act shall not exceed total obligations of
11	\$45,268,596,000 for fiscal year 2019: Provided, That the
12	Secretary may collect and spend fees, as authorized by
13	title 23, United States Code, to cover the costs of services
14	of expert firms, including counsel, in the field of municipal
15	and project finance to assist in the underwriting and serv-
16	icing of Federal credit instruments and all or a portion
17	of the costs to the Federal Government of servicing such
18	credit instruments: Provided further, That such fees are
19	available until expended to pay for such costs: Provided
20	further, That such amounts are in addition to administra-
21	tive expenses that are also available for such purpose, and
22	are not subject to any obligation limitation or the limita-
23	tion on administrative expenses under section 608 of title
24	23. United States Code.



1	(LIQUIDATION OF CONTRACT AUTHORIZATION)
2	(HIGHWAY TRUST FUND)
3	For the payment of obligations incurred in carrying
4	out Federal-aid highway and highway safety construction
5	programs authorized under title 23, United States Code,
6	\$46,007,596,000 derived from the Highway Trust Fund
7	(other than the Mass Transit Account), to remain avail-
8	able until expended.
9	HIGHWAY INFRASTRUCTURE PROGRAMS
10	There is hereby appropriated to the Secretary of
11	Transportation \$3,250,000,000: Provided, That the
12	amounts made available under this heading shall be de-
13	rived from the general fund, shall be in addition to any
14	funds provided for fiscal year 2019 in this or any other
15	Act for "Federal-aid Highways" under chapter 1 of title
16	23, United States Code, and shall not affect the distribu-
17	tion or amount of funds provided in any other Act: Pro-
18	vided further, That section 1101(b) of Public Law 114-
19	94 shall apply to funds made available under this heading:
20	Provided further, That of the funds made available under
21	this heading, \$2,729,000,000 shall be set aside for activi-
22	ties eligible under section 133(b)(1)(A) of title 23, United
23	States Code, and for the elimination of hazards and the
24	installation of protective devices at railway-highway cross-
25	ings \$16,000,000 shall be set aside for activities eligible



- 1 under the Puerto Rico Highway Program as described in
- 2 section 165(b)(2)(C) of such title, \$5,000,000 shall be set
- 3 aside for activities eligible under the Territorial Highway
- 4 Program, as described in section 165(c)(6) of such title,
- 5 \$25,000,000 shall be set aside for the nationally signifi-
- 6 cant Federal lands and tribal projects program under sec-
- 7 tion 1123 of the Fixing America's Surface Transportation
- 8 (FAST) Act (Public Law 114-94), and \$475,000,000
- 9 shall be set aside for a bridge replacement and rehabilita-
- 10 tion program for qualifying States: Provided further, That
- 11 for purposes of this heading, (1) the term "State" means
- 12 any of the 50 States or the District of Columbia and (2)
- 13 the term "qualifying State" means a State for which the
- 14 percentage of total deck area of bridges classified as in
- 15 poor condition in such State is at least 7.5 percent: Pro-
- 16 vided further, That the funds made available under this
- 17 heading for activities eligible under section 133(b)(1)(A)
- 18 of title 23, United States Code, and for the elimination
- 19 of hazards and the installation of protective devices at rail-
- 20 way-highway crossings, shall be suballocated in the man-
- 21 ner described in section 133(d) of such title, except that
- 22 the set-aside described in section 133(h) of such title shall
- 23 not apply to funds made available under this heading: Pro-
- 24 vided further, That the funds made available under this
- 25 heading for (1) activities eligible under section

- 1 133(b)(1)(A) of such title and for the elimination of haz-
- 2 and and the installation of protective devices at railways-
- 3 highway crossings, and (2) a bridge replacement and reha-
- 4 bilitation program shall be administered as if apportioned
- 5 under chapter 1 of such title and shall remain available
- 6 through September 30, 2022: Provided further, That the
- 7 funds made available under this heading for activities eli-
- 8 gible under section 133(b)(1)(A) of title 23, United States
- 9 Code, and for the elimination of hazards and the installa-
- 10 tion of protective devices at railway-highway crossings,
- 11 shall be apportioned to the States in the same ratio as
- 12 the obligation limitation for fiscal year 2019 is distributed
- 13 among the States in section 120(a)(5) of this Act: Pro-
- 14 vided further, That, except as provided in the following
- 15 proviso, the funds made available under this heading for
- 16 activities eligible under the Puerto Rico Highway Program
- 17 and activities eligible under the Territorial Highway Pro-
- 18 gram shall be administered as if allocated under sections
- 19 165(b) and 165(c), respectively, of such title and shall re-
- 20 main available through September 30, 2022: Provided fur-
- 21 ther, That the funds made available under this heading
- 22 for activities eligible under the Puerto Rico Highway Pro-
- 23 gram shall not be subject to the requirements of sections
- 24 165(b)(2)(A) or 165(b)(2)(B) of such title: Provided fur-
- 25 ther, That the funds made available under this heading

1	for the nationally significant Federal lands and tribal
2	projects program under section 1123 of the FAST Act
3	shall remain available through September 30, 2022: $Pro-$
4	vided further, That the Secretary shall distribute funds
5	made available under this heading for a bridge replace-
6	ment and rehabilitation program to each qualifying State
7	by the proportion that the percentage of total deck area
8	of bridges classified as in poor condition in each qualifying
9	State bears to the sum of the percentages of total deck
10	area of bridges classified as in poor condition in all quali-
11	fying States: Provided further, That the funds made avail-
12	able under this heading for a bridge replacement and reha-
13	bilitation program shall be used for highway bridge re-
14	placement or rehabilitation projects on public roads: $Pro-$
15	$vided\ further,$ That except as provided in the following pro-
16	viso the funds made available under this heading for a
17	bridge replacement and rehabilitation program shall be
18	used in areas of a qualifying State that have a population
19	of 200,000 or fewer individuals: $Provided\ further,\ That$ if
20	a qualifying State has no bridges located in areas with
21	a population of 200,000 or fewer individuals, or if a quali-
22	fying State has insufficient bridge replacement or rehabili-
23	tation needs in areas of the State with a population of
24	200,000 or fewer individuals, the funds made available
25	under this heading for a bridge replacement and rehabili-



1	tation program may be used for highway bridge replace-
2	ment or rehabilitation projects on public roads in any area
3	of the State: Provided further, That for purposes of this
4	heading for a bridge replacement and rehabilitation pro-
5	gram, the Secretary shall (1) calculate population based
6	on the latest available data from the decennial census con-
7	ducted under section 141(a) of title 13, United States
8	Code, and (2) calculate the percentages of total deck area
9	of bridges classified as in poor condition based on the Na-
10	tional Bridge Inventory as of December 31, 2017.
11	ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY
12	ADMINISTRATION
13	Sec. 120. (a) For fiscal year 2019, the Secretary of
14	Transportation shall—
15	(1) not distribute from the obligation limitation
16	for Federal-aid highways—
17	(A) amounts authorized for administrative
18	expenses and programs by section 104(a) of
19	title 23, United States Code; and
20	(B) amounts authorized for the Bureau of
21	Transportation Statistics;
22	(2) not distribute an amount from the obliga-
23	tion limitation for Federal-aid highways that is equal
24	to the unobligated balance of amounts.



(A) made available from the Highway
Trust Fund (other than the Mass Transit Ac-
count) for Federal-aid highway and highway
safety construction programs for previous fiscal
years the funds for which are allocated by the
Secretary (or apportioned by the Secretary
under sections 202 or 204 of title 23, United
States Code); and
(B) for which obligation limitation was
provided in a previous fiscal year;
(3) determine the proportion that—
(A) the obligation limitation for Federal-
aid highways, less the aggregate of amounts not
distributed under paragraphs (1) and (2) of
this subsection; bears to
(B) the total of the sums authorized to be
appropriated for the Federal-aid highway and
highway safety construction programs (other
than sums authorized to be appropriated for
provisions of law described in paragraphs (1)
through (11) of subsection (b) and sums au-
thorized to be appropriated for section 119 of
title 23, United States Code, equal to the
amount referred to in subsection (b)(12) for

25

such fiscal year), less the aggregate of the

1	amounts not distributed under paragraphs (1)
2	and (2) of this subsection;
3	(4) distribute the obligation limitation for Fed-
4	eral-aid highways, less the aggregate amounts not
5	distributed under paragraphs (1) and (2), for each
6	of the programs (other than programs to which
7	paragraph (1) applies) that are allocated by the Sec-
8	retary under the Fixing America's Surface Trans-
9	portation Act and title 23, United States Code, or
10	apportioned by the Secretary under sections 202 or
11	204 of that title, by multiplying—
12	(A) the proportion determined under para-
13	graph (3); by
14	(B) the amounts authorized to be appro-
15	priated for each such program for such fiscal
16	year; and
17	(5) distribute the obligation limitation for Fed-
18	eral-aid highways, less the aggregate amounts not
19	distributed under paragraphs (1) and (2) and the
20	amounts distributed under paragraph (4), for Fed-
21	eral-aid highway and highway safety construction
22	programs that are apportioned by the Secretary
23	under title 23, United States Code (other than the
24	amounts apportioned for the National Highway Per-
25	formance Program in section 119 of title 23, United



1	States Code, that are exempt from the limitation
2	under subsection (b)(12) and the amounts appor-
3	tioned under sections 202 and 204 of that title) in
4	the proportion that—
5	(A) amounts authorized to be appropriated
6	for the programs that are apportioned under
7	title 23, United States Code, to each State for
8	such fiscal year; bears to
9	(B) the total of the amounts authorized to
10	be appropriated for the programs that are ap-
11	portioned under title 23, United States Code, to
12	all States for such fiscal year.
13	(b) Exceptions From Obligation Limitation.—
14	The obligation limitation for Federal-aid highways shall
15	not apply to obligations under or for—
16	(1) section 125 of title 23, United States Code;
17	(2) section 147 of the Surface Transportation
18	Assistance Act of 1978 (23 U.S.C. 144 note; 92
19	Stat. 2714);
20	(3) section 9 of the Federal-Aid Highway Act
21	of 1981 (95 Stat. 1701);
22	(4) subsections (b) and (j) of section 131 of the
23	Surface Transportation Assistance Act of 1982 (96
24	Stat 2110).

1	(5) subsections (b) and (c) of section 149 of the
2	Surface Transportation and Uniform Relocation As-
3	sistance Act of 1987 (101 Stat. 198);
4	(6) sections 1103 through 1108 of the Inter-
5	modal Surface Transportation Efficiency Act of
6	1991 (105 Stat. 2027);
7	(7) section 157 of title 23, United States Code
8	(as in effect on June 8, 1998);
9	(8) section 105 of title 23, United States Code
10	(as in effect for fiscal years 1998 through 2004, but
11	only in an amount equal to \$639,000,000 for each
12	of those fiscal years);
13	(9) Federal-aid highway programs for which ob-
14	ligation authority was made available under the
15	Transportation Equity Act for the 21st Century
16	(112 Stat. 107) or subsequent Acts for multiple
17	years or to remain available until expended, but only
18	to the extent that the obligation authority has not
19	lapsed or been used;
20	(10) section 105 of title 23, United States Code
21	(as in effect for fiscal years 2005 through 2012, but
22	only in an amount equal to \$639,000,000 for each
23	of those fiscal years);
24	(11) section 1603 of SAFETEA-LU (23
25	U.S.C. 118 note; 119 Stat. 1248), to the extent that

1	funds obligated in accordance with that section were
2	not subject to a limitation on obligations at the time
3	at which the funds were initially made available for
4	obligation; and
5	(12) section 119 of title 23, United States Code
6	(but, for each of fiscal years 2013 through 2019
7	only in an amount equal to \$639,000,000).
8	(c) Redistribution of Unused Obligation Au
9	THORITY.—Notwithstanding subsection (a), the Secretary
10	shall, after August 1 of such fiscal year—
11	(1) revise a distribution of the obligation limita
12	tion made available under subsection (a) if ar
13	amount distributed cannot be obligated during that
14	fiscal year; and
15	(2) redistribute sufficient amounts to those
16	States able to obligate amounts in addition to those
17	previously distributed during that fiscal year, giving
18	priority to those States having large unobligated bal
19	ances of funds apportioned under sections 144 (as in
20	effect on the day before the date of enactment of
21	Public Law 112–141) and 104 of title 23, United
22	States Code.
23	(d) Applicability of Obligation Limitations to
24	Transportation Research Programs.—

1	(1) In general.—Except as provided in para-
2	graph (2), the obligation limitation for Federal-aid
3	highways shall apply to contract authority for trans-
4	portation research programs carried out under—
5	(A) chapter 5 of title 23, United States
6	Code; and
7	(B) title VI of the Fixing America's Sur-
8	face Transportation Act.
9	(2) Exception.—Obligation authority made
10	available under paragraph (1) shall—
11	(A) remain available for a period of 4 fis-
12	cal years; and
13	(B) be in addition to the amount of any
14	limitation imposed on obligations for Federal
15	aid highway and highway safety construction
16	programs for future fiscal years.
17	(e) Redistribution of Certain Authorized
18	Funds.—
19	(1) In general.—Not later than 30 days after
20	the date of distribution of obligation limitation
21	under subsection (a), the Secretary shall distribute
22	to the States any funds (excluding funds authorized
23	for the program under section 202 of title 23
24	United States Code) that—



1	(A) are authorized to be appropriated for
2	such fiscal year for Federal-aid highway pro-
3	grams; and
4	(B) the Secretary determines will not be
5	allocated to the States (or will not be appor-
6	tioned to the States under section 204 of title
7	23, United States Code), and will not be avail-
8	able for obligation, for such fiscal year because
9	of the imposition of any obligation limitation for
10	such fiscal year.
11	(2) Ratio.—Funds shall be distributed under
12	paragraph (1) in the same proportion as the dis-
13	tribution of obligation authority under subsection
14	(a)(5).
15	(3) Availability.—Funds distributed to each
16	State under paragraph (1) shall be available for any
17	purpose described in section 133(b) of title 23,
18	United States Code.
19	SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-
20	ceived by the Bureau of Transportation Statistics from the
21	sale of data products, for necessary expenses incurred pur-
22	suant to chapter 63 of title 49, United States Code, may
23	be credited to the Federal-aid highways account for the
24	purpose of reimbursing the Bureau for such expenses:
25	Provided That such funds shall be subject to the obliga-



- 1 tion limitation for Federal-aid highway and highway safety
- 2 construction programs.
- 3 Sec. 122. Not less than 15 days prior to waiving,
- 4 under his or her statutory authority, any Buy America re-
- 5 quirement for Federal-aid highways projects, the Sec-
- 6 retary of Transportation shall make an informal public no-
- 7 tice and comment opportunity on the intent to issue such
- 8 waiver and the reasons therefor: *Provided*, That the Sec-
- 9 retary shall provide an annual report to the House and
- 10 Senate Committees on Appropriations on any waivers
- 11 granted under the Buy America requirements.
- 12 Sec. 123. None of the funds provided in this Act to
- 13 the Department of Transportation may be used to provide
- 14 credit assistance unless not less than 3 days before any
- 15 application approval to provide credit assistance under
- 16 sections 603 and 604 of title 23, United States Code, the
- 17 Secretary of Transportation provides notification in writ-
- 18 ing to the following committees: the House and Senate
- 19 Committees on Appropriations; the Committee on Envi-
- 20 ronment and Public Works and the Committee on Bank-
- 21 ing, Housing and Urban Affairs of the Senate; and the
- 22 Committee on Transportation and Infrastructure of the
- 23 House of Representatives: Provided, That such notifica-
- 24 tion shall include, but not be limited to, the name of the
- 25 project sponsor; a description of the project; whether cred-



- 1 it assistance will be provided as a direct loan, loan guar-
- 2 antee, or line of credit; and the amount of credit assist-
- 3 ance.
- 4 Sec. 124. None of the funds in this Act may be used
- 5 to make a grant for a project under section 117 of title
- 6 23, United States Code, unless the Secretary, at least 60
- 7 days before making a grant under that section, provides
- 8 written notification to the House and Senate Committees
- 9 on Appropriations of the proposed grant, including an
- 10 evaluation and justification for the project and the amount
- 11 of the proposed grant award: *Provided*, That the written
- 12 notification required in the previous proviso shall be made
- 13 no later than 180 days after enactment of this Act.
- 14 Sec. 125. (a) A State or territory, as defined in sec-
- 15 tion 165 of title 23, United States Code, may use for any
- 16 project eligible under section 133(b) of title 23 or section
- 17 165 of title 23 and located within the boundary of the
- 18 State or territory any earmarked amount, and any associ-
- 19 ated obligation limitation: Provided, That the Department
- 20 of Transportation for the State or territory for which the
- 21 earmarked amount was originally designated or directed
- 22 notifies the Secretary of Transportation of its intent to
- 23 use its authority under this section and submits a quar-
- 24 terly report to the Secretary identifying the projects to
- 25 which the funding would be applied. Notwithstanding the



1	original period of availability of funds to be obligated
2	under this section, such funds and associated obligation
3	limitation shall remain available for obligation for a period
4	of 3 fiscal years after the fiscal year in which the Sec-
5	retary of Transportation is notified. The Federal share of
6	the cost of a project carried out with funds made available
7	under this section shall be the same as associated with
8	the earmark.
9	(b) In this section, the term "earmarked amount"
10	means—
11	(1) congressionally directed spending, as de-
12	fined in rule XLIV of the Standing Rules of the
13	Senate, identified in a prior law, report, or joint ex-
14	planatory statement, which was authorized to be ap-
15	propriated or appropriated more than 10 fiscal years
16	prior to the current fiscal year, and administered by
17	the Federal Highway Administration; or
18	(2) a congressional earmark, as defined in rule
19	XXI of the Rules of the House of Representatives,
20	identified in a prior law, report, or joint explanatory
21	statement, which was authorized to be appropriated
22	or appropriated more than 10 fiscal years prior to
23	the current fiscal year, and administered by the Fed-

eral Highway Administration.

1	(c) The authority under subsection (a) may be exer-
2	cised only for those projects or activities that have obli-
3	gated less than 10 percent of the amount made available
4	for obligation as of October 1 of the current fiscal year,
5	and shall be applied to projects within the same general
6	geographic area within 50 miles for which the funding was
7	designated, except that a State or territory may apply
8	such authority to unexpended balances of funds from
9	projects or activities the State or territory certifies have
10	been closed and for which payments have been made under
11	a final voucher.
12	(d) The Secretary shall submit consolidated reports
13	of the information provided by the States and territories
14	each quarter to the House and Senate Committees on Ap-
15	propriations.
16	FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
17	MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS
18	(LIQUIDATION OF CONTRACT AUTHORIZATION)
19	(LIMITATION ON OBLIGATIONS)
20	(HIGHWAY TRUST FUND)
21	For payment of obligations incurred in the implemen-
22	tation, execution and administration of motor carrier safe-
23	ty operations and programs pursuant to section 31110 of
24	title 49, United States Code, as amended by the Fixing
25	America's Surface Transportation Act, \$284,000,000, to

1	be derived from the Highway Trust Fund (other than the
2	Mass Transit Account), together with advances and reim-
3	bursements received by the Federal Motor Carrier Safety
4	Administration, the sum of which shall remain available
5	until expended: Provided, That funds available for imple-
6	mentation, execution or administration of motor carrier
7	safety operations and programs authorized under title 49
8	United States Code, shall not exceed total obligations of
9	\$284,000,000 for "Motor Carrier Safety Operations and
10	Programs" for fiscal year 2019, of which \$9,073,000, to
11	remain available for obligation until September 30, 2021
12	is for the research and technology program, and of which
13	\$34,824,000, to remain available for obligation until Sep-
14	tember 30, 2021, is for information management.
15	MOTOR CARRIER SAFETY GRANTS
16	(LIQUIDATION OF CONTRACT AUTHORIZATION)
17	(LIMITATION ON OBLIGATIONS)
18	(HIGHWAY TRUST FUND)
19	(INCLUDING TRANSFER OF FUNDS)
20	For payment of obligations incurred in carrying out
21	sections 31102, 31103, 31104, and 31313 of title 49
22	United States Code, as amended by the Fixing America's
23	Surface Transportation Act, \$382,800,000, to be derived
24	from the Highway Trust Fund (other than the Mass Tran-
25	sit Account) and to remain available until expended: Pro-



- 1 vided, That funds available for the implementation or exe-
- 2 cution of motor carrier safety programs shall not exceed
- 3 total obligations of \$382,800,000 in fiscal year 2019 for
- 4 "Motor Carrier Safety Grants"; of which \$304,300,000
- 5 shall be available for the motor carrier safety assistance
- 6 program, \$32,500,000 shall be available for the commer-
- 7 cial driver's license program implementation program,
- 8 \$44,000,000 shall be available for the high priority activi-
- 9 ties program, and \$2,000,000 shall be made available for
- 10 commercial motor vehicle operators grants, of which
- 11 \$1,000,000 is to be made available from prior year unobli-
- 12 gated contract authority provided for Motor Carrier Safe-
- 13 ty grants in the Transportation Equity Act for the 21st
- 14 Century (Public Law 105-178), SAFETEA-LU (Public
- 15 Law 109–59), or other appropriations or authorization
- 16 acts.
- 17 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
- 18 CARRIER SAFETY ADMINISTRATION
- 19 Sec. 130. The Federal Motor Carrier Safety Admin-
- 20 istration shall send notice of 49 CFR section 385.308 vio-
- 21 lations by certified mail, registered mail, or another man-
- 22 ner of delivery, which records the receipt of the notice by
- 23 the persons responsible for the violations.
- Sec. 131. None of the funds appropriated or other-
- 25 wise made available to the Department of Transportation



- 1 by this Act or any other Act may be obligated or expended
- 2 to implement, administer, or enforce the requirements of
- 3 section 31137 of title 49, United States Code, or any regu-
- 4 lation issued by the Secretary pursuant to such section,
- 5 with respect to the use of electronic logging devices by op-
- 6 erators of commercial motor vehicles, as defined in section
- 7 31132(1) of such title, transporting livestock as defined
- 8 in section 602 of the Emergency Livestock Feed Assist-
- 9 ance Act of 1988 (7 U.S.C. 1471) or insects.
- 10 Sec. 132. None of the funds appropriated or other-
- 11 wise made available by this Act or any other Act may be
- 12 used to implement, enforce or in any other way make ef-
- 13 fective the final rule published by the Federal Motor Car-
- 14 rier Safety Administration on May 27, 2015, entitled
- 15 "Lease and Interchange of Vehicles; Motor Carriers of
- 16 Passengers".
- 17 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
- 18 OPERATIONS AND RESEARCH
- 19 For expenses necessary to discharge the functions of
- 20 the Secretary, with respect to traffic and highway safety
- 21 authorized under chapter 301 and part C of subtitle VI
- 22 of title 49, United States Code, \$190,000,000, of which
- 23 \$40,000,000 shall remain available through September
- 24 30, 2020.



1	OPERATIONS AND RESEARCH
2	(LIQUIDATION OF CONTRACT AUTHORIZATION)
3	(LIMITATION ON OBLIGATIONS)
4	(HIGHWAY TRUST FUND)
5	For payment of obligations incurred in carrying out
6	the provisions of 23 U.S.C. 403, section 4011 of the Fix-
7	ing America's Surface Transportation Act (Public Law
8	114-94), and chapter 303 of title 49, United States Code
9	\$152,100,000, to be derived from the Highway Trust
10	Fund (other than the Mass Transit Account) and to re-
11	main available until expended: Provided, That none of the
12	funds in this Act shall be available for the planning or
13	execution of programs the total obligations for which, in
14	fiscal year 2019, are in excess of \$152,100,000, of which
15	\$146,700,000 shall be for programs authorized under 23
16	U.S.C. 403 and section 4011 of the Fixing America's Sur-
17	face Transportation Act (Public Law 114–94) and
18	\$5,400,000 shall be for the National Driver Register au-
19	thorized under chapter 303 of title 49, United States
20	Code: Provided further, That within the \$152,100,000 ob-
21	ligation limitation for operations and research
22	\$20,000,000 shall remain available until September 30
23	2020, and shall be in addition to the amount of any limita-
24	tion imposed on obligations for future years.



1	HIGHWAY TRAFFIC SAFETY GRANTS
2	(LIQUIDATION OF CONTRACT AUTHORIZATION)
3	(LIMITATION ON OBLIGATIONS)
4	(HIGHWAY TRUST FUND)
5	For payment of obligations incurred in carrying out
6	provisions of 23 U.S.C. 402, 404, and 405, and section
7	4001(a)(6) of the Fixing America's Surface Transpor-
8	tation Act, to remain available until expended
9	\$610,208,000, to be derived from the Highway Trust
10	Fund (other than the Mass Transit Account): Provided
11	That none of the funds in this Act shall be available for
12	the planning or execution of programs the total obligations
13	for which, in fiscal year 2019, are in excess of
14	\$610,208,000 for programs authorized under 23 U.S.C.
15	402, 404, and 405, and section 4001(a)(6) of the Fixing
16	America's Surface Transportation Act, of which
17	\$270,400,000 shall be for "Highway Safety Programs"
18	under 23 U.S.C. 402; \$283,000,000 shall be for "National
19	Priority Safety Programs" under 23 U.S.C. 405
20	\$30,200,000 shall be for the "High Visibility Enforcement
21	Program" under 23 U.S.C. 404; \$26,608,000 shall be for
22	"Administrative Expenses" under section 4001(a)(6) of
23	the Fixing America's Surface Transportation Act: Pro-
24	vided further, That none of these funds shall be used for
25	construction, rehabilitation, or remodeling costs, or for of-



- 1 fice furnishings and fixtures for State, local or private
- 2 buildings or structures: Provided further, That not to ex-
- 3 ceed \$500,000 of the funds made available for "National
- 4 Priority Safety Programs" under 23 U.S.C. 405 for "Im-
- 5 paired Driving Countermeasures" (as described in sub-
- 6 section (d) of that section) shall be available for technical
- 7 assistance to the States: Provided further, That with re-
- 8 spect to the "Transfers" provision under 23 U.S.C.
- 9 405(a)(8), any amounts transferred to increase the
- 10 amounts made available under section 402 shall include
- 11 the obligation authority for such amounts: Provided fur-
- 12 ther, That the Administrator shall notify the House and
- 13 Senate Committees on Appropriations of any exercise of
- 14 the authority granted under the previous proviso or under
- 15 23 U.S.C. 405(a)(8) within 5 days.
- 16 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY
- 17 TRAFFIC SAFETY ADMINISTRATION
- 18 Sec. 140. An additional \$130,000 shall be made
- 19 available to the National Highway Traffic Safety Adminis-
- 20 tration, out of the amount limited for section 402 of title
- 21 23, United States Code, to pay for travel and related ex-
- 22 penses for State management reviews and to pay for core
- 23 competency development training and related expenses for
- 24 highway safety staff.



- 1 Sec. 141. The limitations on obligations for the pro-
- 2 grams of the National Highway Traffic Safety Adminis-
- 3 tration set in this Act shall not apply to obligations for
- 4 which obligation authority was made available in previous
- 5 public laws but only to the extent that the obligation au-
- 6 thority has not lapsed or been used.
- 7 Sec. 142. None of the funds made available by this
- 8 Act may be used to mandate global positioning system
- 9 (GPS) tracking in private passenger motor vehicles with-
- 10 out providing full and appropriate consideration of privacy
- 11 concerns under 5 U.S.C. chapter 5, subchapter II.
- 12 Sec. 143. In addition to the amounts made available
- 13 under the heading, "Operations and Research (Liquida-
- 14 tion of Contract Authorization) (Limitation on Obliga-
- 15 tions) (Highway Trust Fund)" for carrying out the provi-
- 16 sions of section 403 of title 23, United States Code,
- 17 \$14,000,000, to remain available until September 30,
- 18 2020, shall be made available to the National Highway
- 19 Traffic Safety Administration from the general fund, of
- 20 which not to exceed \$7,000,000 shall be available to pro-
- 21 vide funding for grants, pilot program activities, and inno-
- 22 vative solutions to reduce impaired-driving fatalities in col-
- 23 laboration with eligible entities under section 403 of title
- 24 23, United States Code, and not to exceed \$7,000,000
- 25 shall be available to continue a high visibility enforcement



1	paid-media campaign regarding highway-rail grade cross-
2	ing safety in collaboration with the Federal Railroad Ad-
3	ministration.
4	FEDERAL RAILROAD ADMINISTRATION
5	SAFETY AND OPERATIONS
6	For necessary expenses of the Federal Railroad Ad-
7	ministration, not otherwise provided for, \$221,698,000, of
8	which $\$18,000,000$ shall remain available until expended.
9	RAILROAD RESEARCH AND DEVELOPMENT
0	For necessary expenses for railroad research and de-
1	velopment, \$40,600,000, to remain available until ex-
2	pended.
3	RAILROAD REHABILITATION AND IMPROVEMENT
4	FINANCING PROGRAM
5	The Secretary of Transportation is authorized to
6	issue direct loans and loan guarantees pursuant to sec-
7	tions 501 through 504 of the Railroad Revitalization and
8	Regulatory Reform Act of 1976 (Public Law 94–210), as
9	amended, such authority shall exist as long as any such
20	direct loan or loan guarantee is outstanding.
21	FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD
22	REPAIR
23	For necessary expenses related to Federal-State
24	Partnership for State of Good Repair Grants as author-
25	ized by section 24911 of title 49 United States Code



- 1 \$400,000,000, to remain available until expended: Pro-
- 2 vided, That the Secretary may withhold up to one percent
- 3 of the amount provided under this heading for the costs
- 4 of award and project management oversight of grants car-
- 5 ried out under section 24911 of title 49, United States
- 6 Code: Provided further, That the Secretary shall issue the
- 7 Notice of Funding Opportunity that encompasses funds
- 8 provided under this heading in this Act and previously
- 9 unawarded funds provided under this heading in fiscal
- 10 year 2017 by Public Law 115-31 and fiscal year 2018
- 11 by Public Law 115–141, no later than 30 days after enact-
- 12 ment of this Act: Provided further, That the Secretary
- 13 shall announce the selection of projects to receive awards
- 14 for the funds in the previous proviso no later than 180
- 15 days after enactment of this Act.
- 16 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
- 17 IMPROVEMENTS
- 18 For necessary expenses related to Consolidated Rail
- 19 Infrastructure and Safety Improvements Grants, as au-
- 20 thorized by section 24407 of title 49, United States Code,
- 21 \$255,000,000, to remain available until expended: Pro-
- 22 vided, That section 24405(f) of title 49, United States
- 23 Code, shall not apply to projects for the implementation
- 24 of positive train control systems otherwise eligible under
- 25 section 24407(c)(1) of title 49, United States Code: Pro-



- 1 vided further, That amounts available under this heading
- 2 for projects selected for commuter rail passenger transpor-
- 3 tation may be transferred by the Secretary, after selection,
- 4 to the appropriate agencies to be administered in accord-
- 5 ance with chapter 53 of title 49, United States Code: Pro-
- 6 vided further, That the Secretary shall not limit eligible
- 7 projects from consideration for funding for planning, engi-
- 8 neering, environmental, construction, and design elements
- 9 of the same project in the same application: Provided fur-
- 10 ther, That unobligated balances remaining after 4 years
- 11 from the date of enactment may be used for any eligible
- 12 project under section 24407(c) of title 49, United States
- 13 Code: Provided further, That the Secretary may withhold
- 14 up to one percent of the amount provided under this head-
- 15 ing for the costs of award and project management over-
- 16 sight of grants carried out under section 24407 of title
- 17 49, United States Code: Provided further, That the Sec-
- 18 retary shall issue the Notice of Funding Opportunity that
- 19 encompasses previously unawarded funds provided under
- 20 this heading in fiscal year 2018 by Public Law 115–141
- 21 and funds provided under this heading in this Act no later
- 22 than 30 days after enactment of this Act: Provided further,
- 23 That the Secretary shall announce the selection of projects
- 24 to receive awards for the funds in the previous proviso no
- 25 later than 120 days after enactment of this Act.



1	RESTORATION AND ENHANCEMENT
2	For necessary expenses related to Restoration and
3	Enhancement Grants, as authorized by section 24408 of
4	title 49, United States Code, \$5,000,000, to remain avail-
5	able until expended: Provided, That the Secretary may
6	withhold up to one percent of the funds provided under
7	this heading to fund the costs of award and project man-
8	agement and oversight: Provided further, That the Sec-
9	retary shall issue the Notice of Funding Opportunity for
10	funds provided under this heading no later than 30 days
11	after enactment of this Act: Provided further, That the
12	Secretary shall announce the selection of projects to re-
13	ceive awards for the funds in the previous proviso no later
14	than 120 days after enactment of this Act.
15	MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT
16	PROGRAM
17	For necessary expenses related to the deployment of
18	magnetic levitation transportation projects, consistent
19	with language in 1307(a) through (c) of Public Law 109-
20	59, as amended by section 102 of Public Law 110-244
21	(section 322 of title 23, United States Code),
22	\$10,000,000, to remain available until expended



1	NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
2	RAILROAD PASSENGER CORPORATION
3	To enable the Secretary of Transportation to make
4	grants to the National Railroad Passenger Corporation for
5	activities associated with the Northeast Corridor as au-
6	thorized by section 11101(a) of the Fixing America's Sur-
7	face Transportation Act (division A of Public Law 114-
8	94), \$650,000,000, to remain available until expended
9	Provided, That the Secretary may retain up to one-half
10	of 1 percent of the funds provided under both this heading
11	and the "National Network Grants to the National Rail-
12	road Passenger Corporation" heading to fund the costs
13	of project management and oversight of activities author-
14	ized by section 11101(c) of division A of Public Law 114-
15	94: Provided further, That in addition to the project man-
16	agement oversight funds authorized under section
17	11101(c) of division A of Public Law 114-94, the Sec-
18	retary may retain up to an additional \$5,000,000 of the
19	funds provided under this heading to fund expenses associ-
20	ated with the Northeast Corridor Commission established
21	under section 24905 of title 49, United States Code: Pro-
22	vided further, That of the amounts made available under
23	this heading and the "National Network Grants to the Na-
24	tional Railroad Passenger Corporation" heading, not less
25	than \$50,000,000 shall be made available to bring Am-



- 1 trak-served facilities and stations into compliance with the
- 2 Americans with Disabilities Act.
- 3 NATIONAL NETWORK GRANTS TO THE NATIONAL
- 4 RAILROAD PASSENGER CORPORATION
- 5 To enable the Secretary of Transportation to make
- 6 grants to the National Railroad Passenger Corporation for
- 7 activities associated with the National Network as author-
- 8 ized by section 11101(b) of the Fixing America's Surface
- 9 Transportation Act (division A of Public Law 114–94),
- 10 \$1,291,600,000, to remain available until expended: Pro-
- 11 vided, That the Secretary may retain up to an additional
- 12 \$2,000,000 of the funds provided under this heading to
- 13 fund expenses associated with the State-Supported Route
- 14 Committee established under section 24712 of title 49,
- 15 United States Code: Provided further, That at least
- 16 \$50,000,000 of the amount provided under this heading
- 17 shall be available for the development, installation and op-
- 18 eration of railroad safety technology, including the imple-
- 19 mentation of a positive train control system, on State-sup-
- 20 ported routes as defined under section 24102(13) of title
- 21 49, United States Code, on which positive train control
- 22 systems are not required by law or regulation: Provided
- 23 further, That not less than \$50,000,000 of the amount
- 24 provided under this heading shall be for capital expenses
- 25 related to safety improvements, maintenance, and the non-



1	F'ederal	match	for	discretionary	Federal	grant	programs
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- 2 to enable continued passenger rail operations on long-dis-
- 3 tance routes (as defined in section 24102 of title 49,
- 4 United States Code) on which Amtrak is the sole operator
- 5 on a host railroad's line and a positive train control system
- 6 is not required by law or regulation: Provided further,
- 7 That none of the funds provided under this heading shall
- 8 be used by Amtrak to give notice under subsection (a) or
- 9 (b) of section 24706 of title 49, United States Code, with
- 10 respect to long-distance routes (as defined in section
- 11 24102 of title 49, United States Code) on which Amtrak
- 12 is the sole operator on a host railroad's line and a positive
- 13 train control system is not required by law or regulation,
- 14 or, except in an emergency or during maintenance or con-
- 15 struction outages impacting such routes, to otherwise dis-
- 16 continue, reduce the frequency of, suspend, or substan-
- 17 tially alter the route of rail service on any portion of such
- 18 route operated in fiscal year 2018, including implementa-
- 19 tion of service permitted by section 24305(a)(3)(A) of title
- 20 49, United States Code, in lieu of rail service.
- 21 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD
- 22 ADMINISTRATION
- 23 Sec. 150. None of the funds provided to the National
- 24 Railroad Passenger Corporation may be used to fund any
- 25 overtime costs in excess of \$35,000 for any individual em-



1	ployee: Provided, That the President of Amtrak may waive
2	the cap set in the previous proviso for specific employees
3	when the President of Amtrak determines such a cap
4	poses a risk to the safety and operational efficiency of the
5	system: Provided further, That the President of Amtrak
6	shall report to the House and Senate Committees on Ap-
7	propriations within 60 days of enactment of this Act, a
8	summary of all overtime payments incurred by the Cor-
9	poration for 2018 and the three prior calendar years: $Pro-$
10	vided further, That such summary shall include the total
11	number of employees that received waivers and the total
12	overtime payments the Corporation paid to those employ-
13	ees receiving waivers for each month for 2018 and for the
14	three prior calendar years.
15	Sec. 151. It is the sense of Congress that—
16	(1) long-distance passenger rail routes provide
17	much-needed transportation access for 4,700,000
18	riders in 325 communities in 40 States and are par-
19	ticularly important in rural areas; and
20	(2) long-distance passenger rail routes and
21	services should be sustained to ensure connectivity
22	throughout the National Network (as defined in sec-
23	tion 24102 of title 49, United States Code).

1	FEDERAL TRANSIT ADMINISTRATION
2	ADMINISTRATIVE EXPENSES
3	For necessary administrative expenses of the Federal
4	Transit Administration's programs authorized by chapter
5	53 of title 49, United States Code, \$113,165,000, of which
6	up to \$1,000,000 shall be available to carry out the provi-
7	sions of section 5326 of such title: Provided, That none
8	of the funds provided or limited in this Act may be used
9	to create a permanent office of transit security under this
10	heading: Provided further, That upon submission to the
11	Congress of the fiscal year 2020 President's budget, the
12	Secretary of Transportation shall transmit to Congress
13	the annual report on New Starts, including proposed allo-
14	cations for fiscal year 2020.
15	TRANSIT FORMULA GRANTS
16	(LIQUIDATION OF CONTRACT AUTHORIZATION)
17	(LIMITATION ON OBLIGATIONS)
18	(HIGHWAY TRUST FUND)
19	For payment of obligations incurred in the Federal
20	Public Transportation Assistance Program in this ac-
21	count, and for payment of obligations incurred in carrying
22	out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311
23	5312, 5314 , 5318 , $5329(e)(6)$, 5335 , 5337 , 5339 , and
24	5340, as amended by the Fixing America's Surface Trans-
25	portation Act, section 20005(b) of Public Law 112-141,



- 1 and section 3006(b) of the Fixing America's Surface
- 2 Transportation Act, \$9,900,000,000, to be derived from
- 3 the Mass Transit Account of the Highway Trust Fund
- 4 and to remain available until expended: Provided, That
- 5 funds available for the implementation or execution of pro-
- 6 grams authorized under 49 U.S.C. 5305, 5307, 5310,
- 7 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339,
- 8 and 5340, as amended by the Fixing America's Surface
- 9 Transportation Act, section 20005(b) of Public Law 112–
- 10 141, and section 3006(b) of the Fixing America's Surface
- 11 Transportation Act, shall not exceed total obligations of
- 12 \$9,939,380,030 in fiscal year 2019: *Provided further*, That
- 13 the Federal share of the cost of activities carried out under
- 14 49 U.S.C. section 5312 shall not exceed 80 percent, except
- 15 that if there is substantial public interest or benefit, the
- 16 Secretary may approve a greater Federal share.
- 17 Transit infrastructure grants
- 18 For an additional amount for buses and bus facilities
- 19 grants under section 5339 of title 49, United States Code,
- 20 state of good repair grants under section 5337 of such
- 21 title, formula grants for rural areas under section 5311
- 22 of such title, high density state apportionments under sec-
- 23 tion 5340(d) of such title, and the bus testing facilities
- 24 under sections 5312 and 5318 of such title, \$700,000,000
- 25 to remain available until expended: Provided, That



- 1 \$350,000,000 shall be available for grants as authorized
- 2 under section 5339 of such title, of which \$160,000,000
- 3 shall be available for the buses and bus facilities formula
- 4 grants as authorized under section 5339(a) of such title,
- 5 \$160,000,000 shall be available for the buses and bus fa-
- 6 cilities competitive grants as authorized under section
- 7 5339(b) of such title, and \$30,000,000 shall be available
- 8 for the low or no emission grants as authorized under sec-
- 9 tion 5339(c) of such title: Provided further, That
- 10 \$263,000,000 shall be available for the state of good re-
- 11 pair grants as authorized under section 5337 of such title:
- 12 Provided further, That \$40,000,000 shall be available for
- 13 formula grants for rural areas as authorized under section
- 14 5311 of such title: Provided further, That \$40,000,000
- 15 shall be available for the high density state apportion-
- 16 ments as authorized under section 5340(d) of such title:
- 17 Provided further, That \$1,000,000 shall be available for
- 18 the bus testing facility as authorized under section 5318
- 19 of such title: Provided further, That notwithstanding sec-
- 20 tion 5318(a) of such title, \$6,000,000 shall be available
- 21 for the operation and maintenance of bus testing facilities
- 22 by institutions of higher education selected pursuant to
- 23 section 5312(h) of such title: Provided further, That the
- 24 Secretary shall enter into a contract or cooperative agree-
- 25 ment with, or make a grant to, each institution of higher

- 1 education selected pursuant to section 5312(h) of such
- 2 title, to operate and maintain a facility to conduct the test-
- 3 ing of low or no emission vehicle new bus models using
- 4 the standards established pursuant to section 5318(e)(2)
- 5 of such title: Provided further, That the term "low or no
- 6 emission vehicle" has the meaning given the term in sec-
- 7 tion 5312(e)(6) of such title: Provided further, That the
- 8 Secretary shall pay 80 percent of the cost of testing a low
- 9 or no emission vehicle new bus model at each selected in-
- 10 stitution of higher education: Provided further, That the
- 11 entity having the vehicle tested shall pay 20 percent of
- 12 the cost of testing: Provided further, That a low or no
- 13 emission vehicle new bus model tested that receives a pass-
- 14 ing aggregate test score in accordance with the standards
- 15 established under section 5318(e)(2) of such title, shall be
- 16 deemed to be in compliance with the requirements of sec-
- 17 tion 5318(e) of such title: Provided further, That amounts
- 18 made available by this heading shall be derived from the
- 19 general fund: Provided further, That the amounts made
- 20 available under this heading shall not be subject to any
- 21 limitation on obligations for transit programs set forth in
- 22 any Act.
- 23 TECHNICAL ASSISTANCE AND TRAINING
- 24 For necessary expenses to carry out 49 U.S.C. 5314,
- 25 \$5,000,000, of which not less than \$1,500,000 shall be



- 1 for a cooperative agreement through which the Federal
- 2 Transit Administration assists small-urban, rural and
- 3 tribal public transit recipients and planning organizations
- 4 with applied innovation and capacity-building: Provided,
- 5 That the assistance provided under this heading not dupli-
- 6 cate the activities of 49 U.S.C. 5311(b) or 49 U.S.C.
- 7 5312.

8 CAPITAL INVESTMENT GRANTS

- 9 For necessary expenses to carry out fixed guideway
- 10 capital investment grants under section 5309 of title 49,
- 11 United States Code, and section 3005(b) of the Fixing
- 12 America's Surface Transportation Act, \$2,552,687,000, to
- 13 remain available until September 30, 2022: Provided,
- 14 That of the amounts made available under this heading,
- 15 \$2,169,783,950 shall be obligated by December 31, 2020:
- 16 Provided further, That of the amounts made available
- 17 under this heading, \$1,265,670,000 shall be available for
- 18 projects authorized under section 5309(d) of title 49,
- 19 United States Code, \$635,000,000 shall be available for
- 20 projects authorized under section 5309(e) of title 49,
- 21 United States Code, \$526,500,000 shall be available for
- 22 projects authorized under section 5309(h) of title 49,
- 23 United States Code, and \$100,000,000 shall be available
- 24 for projects authorized under section 3005(b) of the Fix-
- 25 ing America's Surface Transportation Act: Provided fur-



- 1 ther, That the Secretary shall continue to administer the
- 2 capital investment grants program in accordance with the
- 3 procedural and substantive requirements of section 5309
- 4 of title 49, United States Code, and of section 3005(b)
- 5 of the Fixing America's Surface Transportation Act.
- 6 GRANTS TO THE WASHINGTON METROPOLITAN AREA
- 7 Transit authority
- 8 For grants to the Washington Metropolitan Area
- 9 Transit Authority as authorized under section 601 of divi-
- 10 sion B of Public Law 110-432, \$150,000,000, to remain
- 11 available until expended: Provided, That the Secretary of
- 12 Transportation shall approve grants for capital and pre-
- 13 ventive maintenance expenditures for the Washington
- 14 Metropolitan Area Transit Authority only after receiving
- 15 and reviewing a request for each specific project: Provided
- 16 further, That prior to approving such grants, the Secretary
- 17 shall certify that the Washington Metropolitan Area Tran-
- 18 sit Authority is making progress to improve its safety
- 19 management system in response to the Federal Transit
- 20 Administration's 2015 safety management inspection:
- 21 Provided further, That the Secretary shall determine that
- 22 the Washington Metropolitan Area Transit Authority has
- 23 placed the highest priority on those investments that will
- 24 improve the safety of the system before approving such
- 25 grants: Provided further, That the Secretary, in order to



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- 2 requirements of section 601(e)(1) of division B of Public
- 3 Law 110–432.
- 4 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT
- 5 ADMINISTRATION
- 6 (INCLUDING RESCISSION)
- 7 Sec. 160. The limitations on obligations for the pro-
- 8 grams of the Federal Transit Administration shall not
- 9 apply to any authority under 49 U.S.C. 5338, previously
- 10 made available for obligation, or to any other authority
- 11 previously made available for obligation.
- 12 Sec. 161. Notwithstanding any other provision of
- 13 law, funds appropriated or limited by this Act under the
- 14 heading "Fixed Guideway Capital Investment" of the Fed-
- 15 eral Transit Administration for projects specified in this
- 16 Act or identified in reports accompanying this Act not ob-
- 17 ligated by September 30, 2022, and other recoveries, shall
- 18 be directed to projects eligible to use the funds for the
- 19 purposes for which they were originally provided.
- 20 Sec. 162. Notwithstanding any other provision of
- 21 law, any funds appropriated before October 1, 2018, under
- 22 any section of chapter 53 of title 49, United States Code,
- 23 that remain available for expenditure, may be transferred
- 24 to and administered under the most recent appropriation
- 25 heading for any such section.



1 NIC. 100. I TOUTH CHIEF CITY OF THE PROPERTY OF	1	SEC.	163.	Notwithstandi	ng any	other	provision	C
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- 2 law, none of the funds made available in this Act shall
- 3 be used to enter into a full funding grant agreement for
- 4 a project with a New Starts share greater than 51 percent.
- 5 Sec. 164. Of the unobligated amounts made available
- 6 for fiscal years 2005 or prior fiscal years to "Transit For-
- 7 mula Grants", a total of \$46,560,000 is hereby perma-
- 8 nently rescinded.
- 9 Sec. 165. None of the funds made available under
- 10 this Act may be used for the implementation or further-
- 11 ance of new policies detailed in the "Dear Colleague" let-
- 12 ter distributed by the Federal Transit Administration to
- 13 capital investment grant program project sponsors on
- 14 June 29, 2018.
- 15 SAINT LAWRENCE SEAWAY DEVELOPMENT
- 16 Corporation
- 17 The Saint Lawrence Seaway Development Corpora-
- 18 tion is hereby authorized to make such expenditures, with-
- 19 in the limits of funds and borrowing authority available
- 20 to the Corporation, and in accord with law, and to make
- 21 such contracts and commitments without regard to fiscal
- 22 year limitations, as provided by section 104 of the Govern-
- 23 ment Corporation Control Act, as amended, as may be
- 24 necessary in carrying out the programs set forth in the
- 25 Corporation's budget for the current fiscal year.



1	OPERATIONS AND MAINTENANCE
2	(HARBOR MAINTENANCE TRUST FUND)
3	For necessary expenses to conduct the operations
4	maintenance, and capital asset renewal activities on those
5	portions of the Saint Lawrence Seaway owned, operated
6	and maintained by the Saint Lawrence Seaway Develop-
7	ment Corporation, \$36,000,000, to be derived from the
8	Harbor Maintenance Trust Fund, pursuant to Public Law
9	99-662: Provided, That of the amounts made available
10	under this heading, not less than \$16,000,000 shall be
11	used on capital asset renewal activities.
12	MARITIME ADMINISTRATION
13	MARITIME SECURITY PROGRAM
14	For necessary expenses to maintain and preserve a
15	U.Sflag merchant fleet to serve the national security
16	needs of the United States, \$300,000,000, to remain avail-
17	able until expended.
18	OPERATIONS AND TRAINING
19	(INCLUDING TRANSFER OF FUNDS)
20	For necessary expenses of operations and training ac-
21	tivities authorized by law, \$149,442,000, of which
22	\$70,593,000 shall remain available until September 30
23	2020 for the operations of the United States Merchant
24	Marine Academy, and of which \$18,000,000 shall remain
25	available until expended for the maintenance and repair



- 1 equipment, and capital improvements at the United States
- 2 Merchant Marine Academy: Provided, That not later than
- 3 January 12, 2019, the Administrator of the Maritime Ad-
- 4 ministration shall transmit to the House and Senate Com-
- 5 mittees on Appropriations the annual report on sexual as-
- 6 sault and sexual harassment at the United States Mer-
- 7 chant Marine Academy as required pursuant to section
- 8 3507 of Public Law 110-417: Provided further, That of
- 9 the amounts made available under this heading,
- 10 \$3,000,000 shall remain available until September 30,
- 11 2020 for the Maritime Environment and Technology As-
- 12 sistance program authorized under section 50307 of title
- 13 46, United States Code: Provided further, That of the
- 14 amounts made available under this heading, \$7,000,000,
- 15 shall remain available until expended for the Short Sea
- 16 Transportation Program (America's Marine Highways) to
- 17 make grants for the purposes authorized under sections
- 18 55601(b)(1) and (3) of title 46, United States Code: Pro-
- 19 vided further, That available balances under this heading
- 20 for the Short Sea Transportation Program (America's
- 21 Marine Highways) from prior year recoveries shall be
- 22 available to carry out activities authorized under sections
- 23 55601(b)(1) and (3) of title 46, United States Code: Pro-
- 24 vided further, That from funds provided under the pre-
- 25 vious two provisos, the Secretary of Transportation shall

- 1 make grants no later than 180 days after enactment of
- 2 this Act in such amounts as the Secretary determines:
- 3 Provided further, That any unobligated balances available
- 4 from previous appropriations for programs and activities
- 5 supporting State Maritime Academies shall be transferred
- 6 to and merged with the appropriations for "Maritime Ad-
- 7 ministration, State Maritime Academy Operations" and
- 8 shall be made available for the same purposes.
- 9 STATE MARITIME ACADEMY OPERATIONS
- 10 For necessary expenses of operations, support and
- 11 training activities for State Maritime Academies,
- 12 \$345,200,000, of which \$25,000,000, to remain available
- 13 until expended, shall be for maintenance, repair, life exten-
- 14 sion, and capacity improvement of National Defense Re-
- 15 serve Fleet training ships in support of State Maritime
- 16 Academies, of which \$8,000,000, to remain available until
- 17 expended, shall be for expenses related to training mari-
- 18 ners for costs associated with training vessel sharing pur-
- 19 suant to 46 U.S.C. 51504(g)(3) for costs associated with
- 20 mobilizing, operating and demobilizing the vessel, includ-
- 21 ing travel costs for students, faculty and crew, the costs
- 22 of the general agent, crew costs, fuel, insurance, oper-
- 23 ational fees, and vessel hire costs, as determined by the
- 24 Secretary, of which \$300,000,000, to remain available
- 25 until expended, shall be for the National Security Multi-



1	Mission Vessel Program, including funds for construction,
2	planning, administration, and design of school ships, of
3	which $\$2,400,000$ shall remain available through Sep-
4	tember 30, 2020, for the Student Incentive Program, of
5	which $\$3,800,000$ shall remain available until expended
6	for training ship fuel assistance, and of which $\$6,000,000$
7	shall remain available until September 30, 2020, for direct
8	payments for State Maritime Academies.
9	ASSISTANCE TO SMALL SHIPYARDS
0	To make grants to qualified shipyards as authorized
1	under section 54101 of title 46, United States Code, as
2	amended by Public Law 113–281, $\$20,000,000$, to remain
3	available until expended.
4	SHIP DISPOSAL
5	For necessary expenses related to the disposal of ob-
6	solete vessels in the National Defense Reserve Fleet of the
7	Maritime Administration, $\$5,000,000$, to remain available
8	until expended.
Ω	unun dipondon
9	MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM
20	Button states of the state of
	MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM
20	MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT
20 21	MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)



25~ and Training'', Maritime Administration.

1	PORT INFRASTRUCTURE DEVELOPMENT PROGRAM
2	To make grants to improve port facilities as author-
3	ized under section 50302 of title 46, United States Code,
4	\$200,000,000 to remain available until expended: $Pro-$
5	vided, That projects eligible for funding provided under
6	this heading shall be projects for coastal seaports: $Pro-$
7	$vided\ further,\ {\it That\ in\ addition},\ \$92,730,000,\ {\it to\ remain}$
8	available until expended, shall be for grants to the 15
9	coastal seaports that handled the greatest number of load-
10	ed foreign and domestic twenty-foot equivalent units of
11	containerized cargo in 2016, as identified by the U.S. $$
12	Army Corps of Engineers: $Provided\ further,$ That the Mar-
13	itime Administration shall distribute funds provided under
14	this heading as discretionary grants to port authorities or
15	commissions or their subdivisions and agents under exist-
16	ing authority, as well as to a State or political subdivision
17	of a State or local government, a tribal government, a pub-
18	lic agency or publicly chartered authority established by
19	one or more States, a special purpose district with a trans-
20	portation function, a multistate or multijurisdictional
21	group of entities, or a lead entity described above jointly
22	with a private entity or group of private entities: $Provided$
23	further, That projects eligible for funding provided under
24	this heading shall be either within the boundary of a port,
25	or outside the boundary of a port, and directly related to



- 1 port operations or to an intermodal connection to a port
- 2 that will improve the safety, efficiency, or reliability of the
- 3 movement of goods into, out of, around, or within a port,
- 4 as well as the unloading and loading of cargo at a port:
- 5 Provided further, That in awarding grants from funds
- 6 made available by the second proviso under this heading
- 7 for the 15 coastal seaports referred to, the Maritime Ad-
- 8 ministration shall give priority consideration for proposed
- 9 projects that construct treatment facilities defined in sec-
- 10 tion 305.1 of title 7, Code of Federal Regulations, to meet
- 11 the phytosanitary treatment requirements of sections
- 12 305.5 through 305.8 of title 7, Code of Federal Regula-
- 13 tions: Provided further, That the Federal share of the
- 14 costs for which an expenditure is made under this heading
- 15 shall be up to 80 percent: Provided further, That not to
- 16 exceed 2 percent of the funds appropriated under this
- 17 heading shall be available for necessary costs of grant ad-
- 18 ministration: Provided further, That the proceeds of Fed-
- 19 eral credit assistance under chapter 6 of title 23, United
- 20 States Code or sections 501 through 504 of the Railroad
- 21 and Revitalization and Regulatory Reform Act of 1976
- 22 (Public Law 94–210), as amended, shall be considered to
- 23 be part of the non-Federal share of project costs if the
- 24 loan is repayable from non-Federal funds, unless otherwise
- 25 requested by the project sponsor.



1	ADMINISTRATIVE PROVISIONS—MARITIME
2	ADMINISTRATION
3	Sec. 170. Notwithstanding any other provision of
4	this Act, in addition to any existing authority, the Mari-
5	time Administration is authorized to furnish utilities and
6	services and make necessary repairs in connection with
7	any lease, contract, or occupancy involving Government
8	property under control of the Maritime Administration:
9	Provided, That payments received therefor shall be cred-
10	ited to the appropriation charged with the cost thereof and
11	shall remain available until expended: Provided further,
12	That rental payments under any such lease, contract, or
13	occupancy for items other than such utilities, services, or
14	repairs shall be covered into the Treasury as miscellaneous
15	receipts.
16	PIPELINE AND HAZARDOUS MATERIALS SAFETY
17	Administration
18	OPERATIONAL EXPENSES
19	For necessary operational expenses of the Pipeline
20	and Hazardous Materials Safety Administration,
21	\$23,710,000: Provided, That the Secretary of Transpor-
22	tation shall issue a final rule to expand the applicability
23	of comprehensive oil spill response plans within 90 days
24	of enactment of this Act: Provided further, That the
25	amounts appropriated under this heading shall be reduced



1	by \$10,000 per day for each day that such rule has not
2	been issued following the expiration of the period set forth
3	in the previous proviso.
4	HAZARDOUS MATERIALS SAFETY
5	For expenses necessary to discharge the hazardous
6	materials safety functions of the Pipeline and Hazardous
7	Materials Safety Administration, \$58,000,000, of which
8	\$7,570,000 shall remain available until September 30,
9	2021: Provided, That up to \$800,000 in fees collected
10	under 49 U.S.C. 5108(g) shall be deposited in the general
11	fund of the Treasury as offsetting receipts: Provided fur-
12	ther, That there may be credited to this appropriation, to
13	be available until expended, funds received from States,
14	counties, municipalities, other public authorities, and pri-
15	vate sources for expenses incurred for training, for reports
16	publication and dissemination, and for travel expenses in-
17	curred in performance of hazardous materials exemptions
18	and approvals functions.
19	PIPELINE SAFETY
20	(PIPELINE SAFETY FUND)
21	(OIL SPILL LIABILITY TRUST FUND)
22	For expenses necessary to carry out a pipeline safety
23	program, as authorized by 49 U.S.C. 60107, and to dis-
24	charge the pipeline program responsibilities of the Oil Pol-
25	lution Act of 1990, \$165,000,000, to remain available



- 1 until September 30, 2021, of which \$23,000,000 shall be
- 2 derived from the Oil Spill Liability Trust Fund; of which
- 3 \$134,000,000 shall be derived from the Pipeline Safety
- 4 Fund; and of which \$8,000,000 shall be derived from fees
- 5 collected under 49 U.S.C. 60302 and deposited in the Un-
- 6 derground Natural Gas Storage Facility Safety Account
- 7 for the purpose of carrying out 49 U.S.C. 60141: Pro-
- 8 vided, That not less than \$1,058,000 of the funds pro-
- 9 vided under this heading shall be for the One-Call State
- 10 grant program.
- 11 EMERGENCY PREPAREDNESS GRANTS
- 12 (EMERGENCY PREPAREDNESS FUND)
- For expenses necessary to carry out the Emergency
- 14 Preparedness Grants program, not more than
- 15 \$28,318,000 shall remain available until September 30,
- 16 2021, from amounts made available by 49 U.S.C. 5116(h),
- 17 and 5128(b) and (c): Provided, That notwithstanding 49
- 18 U.S.C. 5116(h)(4), not more than 4 percent of the
- 19 amounts made available from this account shall be avail-
- 20 able to pay administrative costs: Provided further, That
- 21 notwithstanding 49 U.S.C. 5128(b) and (c) and the cur-
- 22 rent year obligation limitation, prior year recoveries recog-
- 23 nized in the current year shall be available to develop a
- 24 hazardous materials response training curriculum for
- 25 emergency responders, including response activities for the



- 1 transportation of crude oil, ethanol and other flammable
- 2 liquids by rail, consistent with National Fire Protection
- 3 Association standards, and to make such training avail-
- 4 able through an electronic format: Provided further, That
- 5 the prior year recoveries made available under this head-
- 6 ing shall also be available to carry out 49 U.S.C.
- 7 5116(a)(1)(C) and 5116(i).
- 8 Office of Inspector General
- 9 SALARIES AND EXPENSES
- For necessary expenses of the Office of the Inspector
- 11 General to carry out the provisions of the Inspector Gen-
- 12 eral Act of 1978, as amended, \$92,600,000: Provided,
- 13 That the Inspector General shall have all necessary au-
- 14 thority, in carrying out the duties specified in the Inspec-
- 15 tor General Act, as amended (5 U.S.C. App. 3), to inves-
- 16 tigate allegations of fraud, including false statements to
- 17 the government (18 U.S.C. 1001), by any person or entity
- 18 that is subject to regulation by the Department of Trans-
- 19 portation: Provided further, That the funds made available
- 20 under this heading may be used to investigate, pursuant
- 21 to section 41712 of title 49, United States Code: (1) un-
- 22 fair or deceptive practices and unfair methods of competi-
- 23 tion by domestic and foreign air carriers and ticket agents;
- 24 and (2) the compliance of domestic and foreign air carriers
- 25 with respect to item (1) of this proviso.



1	GENERAL PROVISIONS—DEPARTMENT OF
2	Transportation
3	Sec. 180. (a) During the current fiscal year, applica-
4	ble appropriations to the Department of Transportation
5	shall be available for maintenance and operation of air-
6	craft; hire of passenger motor vehicles and aircraft; pur-
7	chase of liability insurance for motor vehicles operating
8	in foreign countries on official department business; and
9	uniforms or allowances therefor, as authorized by law (5
10	U.S.C. 5901–5902).
11	(b) During the current fiscal year, applicable appro-
12	priations to the Department and its operating administra-
13	tions shall be available for the purchase, maintenance, op-
14	eration, and deployment of unmanned aircraft systems
15	that advance the Department's, or its operating adminis-
16	trations', missions.
17	(c) Any unmanned aircraft system purchased or pro-
18	cured by the Department prior to the enactment of this
19	Act shall be deemed authorized.
20	Sec. 181. Appropriations contained in this Act for
21	the Department of Transportation shall be available for
22	services as authorized by 5 U.S.C. 3109, but at rates for
23	individuals not to exceed the per diem rate equivalent to
24	the rate for an Executive Level IV.



- 1 Sec. 182. (a) No recipient of funds made available
- 2 in this Act shall disseminate personal information (as de-
- 3 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
- 4 ment of motor vehicles in connection with a motor vehicle
- 5 record as defined in 18 U.S.C. 2725(1), except as provided
- 6 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
- 7 2721.
- 8 (b) Notwithstanding subsection (a), the Secretary
- 9 shall not withhold funds provided in this Act for any
- 10 grantee if a State is in noncompliance with this provision.
- 11 Sec. 183. None of the funds in this Act shall be avail-
- 12 able for salaries and expenses of more than 125 political
- 13 and Presidential appointees in the Department of Trans-
- 14 portation: Provided, That none of the personnel covered
- 15 by this provision may be assigned on temporary detail out-
- 16 side the Department of Transportation.
- 17 Sec. 184. Funds received by the Federal Highway
- 18 Administration and Federal Railroad Administration from
- 19 States, counties, municipalities, other public authorities,
- 20 and private sources for expenses incurred for training may
- 21 be credited respectively to the Federal Highway Adminis-
- 22 tration's "Federal-Aid Highways" account and to the Fed-
- 23 eral Railroad Administration's "Safety and Operations"
- 24 account, except for State rail safety inspectors partici-
- 25 pating in training pursuant to 49 U.S.C. 20105.



- 1 Sec. 185. (a) None of the funds provided in this Act
- 2 to the Department of Transportation may be used to make
- 3 a loan, loan guarantee, line of credit, or discretionary
- 4 grant unless the Secretary of Transportation notifies the
- 5 House and Senate Committees on Appropriations not less
- 6 than 3 full business days before any project competitively
- 7 selected to receive any discretionary grant award, letter
- 8 of intent, loan commitment, loan guarantee commitment,
- 9 line of credit commitment, or full funding grant agreement
- 10 is announced by the Department or its modal administra-
- 11 tions: Provided, That the Secretary gives concurrent noti-
- 12 fication to the House and Senate Committees on Appro-
- 13 priations for any "quick release" of funds from the emer-
- 14 gency relief program: Provided further, That no notifica-
- 15 tion shall involve funds that are not available for obliga-
- 16 tion.
- 17 (b) In addition to the notification required in sub-
- 18 section (a), none of the funds made available in this Act
- 19 to the Department of Transportation may be used to make
- 20 a loan, loan guarantee, line of credit, cooperative agree-
- 21 ment or discretionary grant unless the Secretary of Trans-
- 22 portation provides the House and Senate Committees on
- 23 Appropriations a comprehensive list of all such loans, loan
- 24 guarantees, lines of credit, cooperative agreement or dis-
- 25 cretionary grants that will be announced not less the 3



- 1 full business days before such announcement: Provided,
- 2 That the requirement to provide a list in this subsection
- 3 does not apply to any "quick release" of funds from the
- 4 emergency relief program: Provided further, That no list
- 5 shall involve funds that are not available for obligation.
- 6 Sec. 186. Rebates, refunds, incentive payments,
- 7 minor fees and other funds received by the Department
- 8 of Transportation from travel management centers,
- 9 charge card programs, the subleasing of building space,
- 10 and miscellaneous sources are to be credited to appropria-
- 11 tions of the Department of Transportation and allocated
- 12 to elements of the Department of Transportation using
- 13 fair and equitable criteria and such funds shall be avail-
- 14 able until expended.
- 15 Sec. 187. Amounts made available in this or any
- 16 prior Act that the Secretary determines represent im-
- 17 proper payments by the Department of Transportation to
- 18 a third-party contractor under a financial assistance
- 19 award, which are recovered pursuant to law, shall be avail-
- 20 able—
- 21 (1) to reimburse the actual expenses incurred
- by the Department of Transportation in recovering
- improper payments: *Provided*, That amounts made
- 24 available in this Act shall be available until ex-
- 25 pended; and



1	(2) to pay contractors for services provided in
2	recovering improper payments or contractor support
3	in the implementation of the Improper Payments In-
4	formation Act of 2002, as amended by the Improper
5	Payments Elimination and Recovery Act of 2010
6	and Improper Payments Elimination and Recovery
7	Improvement Act of 2012, and Fraud Reduction and
8	Data Analytics Act of 2015: Provided, That amounts
9	in excess of that required for paragraphs (1) and
10	(2)—
11	(A) shall be credited to and merged with
12	the appropriation from which the improper pay-
13	ments were made, and shall be available for the
14	purposes and period for which such appropria-
15	tions are available: Provided further, That
16	where specific project or accounting information
17	associated with the improper payment or pay-
18	ments is not readily available, the Secretary
19	may credit an appropriate account, which shall
20	be available for the purposes and period associ-
21	ated with the account so credited; or
22	(B) if no such appropriation remains avail-
23	able, shall be deposited in the Treasury as mis-
24	cellaneous receipts: Provided further, That prior

to depositing such recovery in the Treasury, the

1	Secretary shall notify the House and Senate
2	Committees on Appropriations of the amount
3	and reasons for such transfer: Provided further,
4	That for purposes of this section, the term "im-
5	proper payments" has the same meaning as
6	that provided in section 2(e)(2) of Public Law
7	111–204.
8	SEC. 188. Notwithstanding any other provision of
9	law, if any funds provided in or limited by this Act are
10	subject to a reprogramming action that requires notice to
11	be provided to the House and Senate Committees on Ap-
12	propriations, transmission of said reprogramming notice
13	shall be provided solely to the House and Senate Commit-
14	tees on Appropriations, and said reprogramming action
15	shall be approved or denied solely by the House and Sen-
16	ate Committees on Appropriations: Provided, That the
17	Secretary of Transportation may provide notice to other
18	congressional committees of the action of the House and
19	Senate Committees on Appropriations on such reprogram-
20	ming but not sooner than 30 days following the date or
21	which the reprogramming action has been approved or de-
22	nied by the House and Senate Committees on Appropria-
23	tions.
24	SEC. 189. Funds appropriated in this Act to the
25	model administrations may be obligated for the Office of

- 1 the Secretary for the costs related to assessments or reim-
- 2 bursable agreements only when such amounts are for the
- 3 costs of goods and services that are purchased to provide
- 4 a direct benefit to the applicable modal administration or
- 5 administrations.
- 6 Sec. 190. The Secretary of Transportation is author-
- 7 ized to carry out a program that establishes uniform
- 8 standards for developing and supporting agency transit
- 9 pass and transit benefits authorized under section 7905
- 10 of title 5, United States Code, including distribution of
- 11 transit benefits by various paper and electronic media.
- 12 Sec. 191. The Department of Transportation may
- 13 use funds provided by this Act, or any other Act, to assist
- 14 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
- 15 geographic, economic, or any other hiring preference not
- 16 otherwise authorized by law, or to amend a rule, regula-
- 17 tion, policy or other measure that forbids a recipient of
- 18 a Federal Highway Administration or Federal Transit Ad-
- 19 ministration grant from imposing such hiring preference
- 20 on a contract or construction project with which the De-
- 21 partment of Transportation is assisting, only if the grant
- 22 recipient certifies the following:
- 23 (1) that except with respect to apprentices or
- trainees, a pool of readily available but unemployed
- 25 individuals possessing the knowledge, skill, and abil-



1	ity to perform the work that the contract requires
2	resides in the jurisdiction;
3	(2) that the grant recipient will include appro-
4	priate provisions in its bid document ensuring that
5	the contractor does not displace any of its existing
6	employees in order to satisfy such hiring preference;
7	and
8	(3) that any increase in the cost of labor, train-
9	ing, or delays resulting from the use of such hiring
10	preference does not delay or displace any transpor-
11	tation project in the applicable Statewide Transpor-
12	tation Improvement Program or Transportation Im-
13	provement Program.
14	This title may be cited as the "Department of Trans-
15	portation Appropriations Act, 2019".

1	TITLE II
2	DEPARTMENT OF HOUSING AND URBAN
3	DEVELOPMENT
4	Management and Administration
5	EXECUTIVE OFFICES
6	For necessary salaries and expenses for Executive Of-
7	fices, which shall be comprised of the offices of the Sec-
8	retary, Deputy Secretary, Adjudicatory Services, Congres-
9	sional and Intergovernmental Relations, Public Affairs
10	Small and Disadvantaged Business Utilization, and the
11	Center for Faith-Based and Neighborhood Partnerships
12	\$14,900,000, to remain available until September 30
13	2020: Provided, That not to exceed \$25,000 of the amount
14	made available under this heading shall be available to the
15	Secretary for official reception and representation ex-
16	penses as the Secretary may determine.
17	ADMINISTRATIVE SUPPORT OFFICES
18	For necessary salaries and expenses for Administra-
19	tive Support Offices, \$541,500,000, to remain available
20	until September 30, 2020, of which \$70,400,000 shall be
21	available for the Office of the Chief Financial Officer, (and
22	of which \$20,000,000, to remain available until September
23	30, 2021, shall be for the financial transformation initia-
24	tive); \$97,800,000 shall be available for the Office of the
25	General Counsel, of which not less than \$15,000,000 shall



- 1 be for the Departmental Enforcement Center;
- 2 \$206,300,000 shall be available for the Office of Adminis-
- 3 tration; \$40,400,000 shall be available for the Office of
- 4 the Chief Human Capital Officer; \$54,300,000 shall be
- 5 available for the Office of Field Policy and Management;
- 6 \$19,100,000 shall be available for the Office of the Chief
- 7 Procurement Officer; \$3,800,000 shall be available for the
- 8 Office of Departmental Equal Employment Opportunity;
- 9 \$4,700,000 shall be available for the Office of Business
- 10 Transformation; and \$44,700,000 shall be available for
- 11 the Office of the Chief Information Officer: Provided, That
- 12 funds provided under this heading may be used for nec-
- 13 essary administrative and non-administrative expenses of
- 14 the Department of Housing and Urban Development, not
- 15 otherwise provided for, including purchase of uniforms, or
- 16 allowances therefor, as authorized by 5 U.S.C. 5901-
- 17 5902; hire of passenger motor vehicles; and services as au-
- 18 thorized by 5 U.S.C. 3109: Provided further, That not-
- 19 withstanding any other provision of law, funds appro-
- 20 priated under this heading may be used for advertising
- 21 and promotional activities that directly support program
- 22 activities funded in this title: Provided further, That the
- 23 Secretary shall provide the House and Senate Committees
- 24 on Appropriations quarterly written notification regarding
- 25 the status of pending congressional reports: Provided fur-



1	ther, That the Secretary shall provide in electronic form
2	all signed reports required by Congress: Provided further,
3	That not more than 10 percent of the funds made avail-
4	able under this heading for the Office of Chief Financial
5	Officer for the financial transformation initiative may be
6	obligated until the Secretary submits to the House and
7	Senate Committees on Appropriations, for approval, a
8	plan for expenditure that includes the financial and inter-
9	nal control capabilities to be delivered and the mission
10	benefits to be realized, key milestones to be met, and the
11	relationship between the proposed use of funds made avail-
12	able under this heading and the projected total cost and
13	scope of the initiative.
14	PROGRAM OFFICE SALARIES AND EXPENSES
15	PUBLIC AND INDIAN HOUSING
16	For necessary salaries and expenses of the Office of
17	Public and Indian Housing, \$219,800,000, to remain
18	available until September 30, 2020.
19	
	COMMUNITY PLANNING AND DEVELOPMENT
20	For necessary salaries and expenses of the Office of
20 21	
	For necessary salaries and expenses of the Office of
21	For necessary salaries and expenses of the Office of Community Planning and Development, \$112,344,000, to



25 Housing, \$382,500,000, to remain available until Sep-

1	tember 30, 2020, of which not less than $$12,000,000$ shall
2	be for the Office of Recapitalization.
3	POLICY DEVELOPMENT AND RESEARCH
4	For necessary salaries and expenses of the Office of
5	Policy Development and Research, \$26,000,000, to re-
6	main available until September 30, 2020.
7	FAIR HOUSING AND EQUAL OPPORTUNITY
8	For necessary salaries and expenses of the Office of
9	Fair Housing and Equal Opportunity, \$72,900,000, to re-
10	main available until September 30, 2020.
11	OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
12	HOMES
13	For necessary salaries and expenses of the Office of
14	Lead Hazard Control and Healthy Homes, \$8,600,000, to
15	remain available until September 30, 2020.
16	WORKING CAPITAL FUND
17	(INCLUDING TRANSFER OF FUNDS)
18	For the working capital fund for the Department of
19	Housing and Urban Development (referred to in this para-
20	graph as the "Fund"), pursuant, in part, to section 7(f)
21	of the Department of Housing and Urban Development
22	Act (42 U.S.C. 3535(f)), amounts transferred, including
23	reimbursements pursuant to section 7(f), to the Fund
24	under this heading shall be available for Federal shared
25	services used by offices and agencies of the Department,



- 1 and for such portion of any office or agency's printing,
- 2 records management, space renovation, furniture, or sup-
- 3 ply services as the Secretary determines shall be derived
- 4 from centralized sources made available by the Depart-
- 5 ment to all offices and agencies and funded through the
- 6 Fund: Provided, That of the amounts made available in
- 7 this title for salaries and expenses under the headings
- 8 "Executive Offices", "Administrative Support Offices",
- 9 "Program Office Salaries and Expenses", and "Govern-
- 10 ment National Mortgage Association", the Secretary shall
- 11 transfer to the Fund such amounts, to remain available
- 12 until expended, as are necessary to fund services, specified
- 13 in the matter preceding the first proviso, for which the
- 14 appropriation would otherwise have been available, and
- 15 may transfer not to exceed an additional \$5,000,000, in
- 16 aggregate, from all such appropriations, to be merged with
- 17 the Fund and to remain available until expended for any
- 18 purpose under this heading: Provided further, That
- 19 amounts in the Fund shall be the only amounts available
- 20 to each office or agency of the Department for the serv-
- 21 ices, or portion of services, specified in the matter pre-
- 22 ceding the first proviso: Provided further, That with re-
- 23 spect to the Fund, the authorities and conditions under
- 24 this heading shall supplement the authorities and condi-
- 25 tions provided under section 7(f).



1	Public and Indian Housing
2	TENANT-BASED RENTAL ASSISTANCE
3	For activities and assistance for the provision of ten-
4	ant-based rental assistance authorized under the United
5	States Housing Act of 1937, as amended (42 U.S.C. 1437
6	et seq.) ("the Act" herein), not otherwise provided for,
7	$\$18,\!598,\!000,\!000$, to remain available until expended, shall
8	be available on October 1, 2018 (in addition to the
9	\$4,000,000,000 previously appropriated under this head-
10	ing that shall be available on October 1, 2018), and
11	\$4,000,000,000, to remain available until expended, shall
12	be available on October 1, 2019: $Provided$, That the
13	amounts made available under this heading are provided
14	as follows:
15	(1) \$20,313,000,000 shall be available for re-
16	newals of expiring section 8 tenant-based annual
17	contributions contracts (including renewals of en-
18	hanced vouchers under any provision of law author-
19	izing such assistance under section 8(t) of the Act)
20	and including renewal of other special purpose incre-
21	mental vouchers: Provided, That notwithstanding
22	any other provision of law, from amounts provided
23	under this paragraph and any carryover, the Sec-
24	retary for the calendar year 2019 funding cycle shall
25	provide renewal funding for each public housing



1	agency based on validated voucher management sys-
2	tem (VMS) leasing and cost data for the prior cal-
3	endar year and by applying an inflation factor as es-
4	tablished by the Secretary, by notice published in
5	the Federal Register, and by making any necessary
6	adjustments for the costs associated with the first-
7	time renewal of vouchers under this paragraph in-
8	cluding tenant protection and Choice Neighborhoods
9	vouchers: Provided further, That none of the funds
10	provided under this paragraph may be used to fund
11	a total number of unit months under lease which ex-
12	ceeds a public housing agency's authorized level of
13	units under contract, except for public housing agen-
14	cies participating in the MTW demonstration, which
15	are instead governed by the terms and conditions of
16	their MTW agreements: Provided further, That the
17	Secretary shall, to the extent necessary to stay with-
18	in the amount specified under this paragraph (ex-
19	cept as otherwise modified under this paragraph)
20	prorate each public housing agency's allocation oth-
21	erwise established pursuant to this paragraph: Pro-
22	vided further, That except as provided in the fol-
23	lowing provisos, the entire amount specified under
24	this paragraph (except as otherwise modified under
25	this paragraph) shall be obligated to the public hous-



1	ing agencies based on the allocation and pro rata
2	method described above, and the Secretary shall no-
3	tify public housing agencies of their annual budget
4	by the latter of 60 days after enactment of this Act
5	or March 1, 2019: Provided further, That the Sec-
6	retary may extend the notification period with the
7	prior written approval of the House and Senate
8	Committees on Appropriations: Provided further,
9	That public housing agencies participating in the
10	MTW demonstration shall be funded pursuant to
11	their MTW agreements and shall be subject to the
12	same pro rata adjustments under the previous pro-
13	visos: Provided further, That the Secretary may off-
14	set public housing agencies' calendar year 2019 allo-
15	cations based on the excess amounts of public hous-
16	ing agencies' net restricted assets accounts, includ-
17	ing HUD-held programmatic reserves (in accordance
18	with VMS data in calendar year 2018 that is
19	verifiable and complete), as determined by the Sec-
20	retary: Provided further, That public housing agen-
21	cies participating in the MTW demonstration shall
22	also be subject to the offset, as determined by the
23	Secretary, excluding amounts subject to the single
24	fund budget authority provisions of their MTW
25	agreements, from the agencies' calendar year 2019



1	MTW funding allocation: Provided further, That the
2	Secretary shall use any offset referred to in the pre-
3	vious two provisos throughout the calendar year to
4	prevent the termination of rental assistance for fam-
5	ilies as the result of insufficient funding, as deter-
6	mined by the Secretary, and to avoid or reduce the
7	proration of renewal funding allocations: Provided
8	further, That up to \$100,000,000 shall be available
9	only: (1) for adjustments in the allocations for public
10	housing agencies, after application for an adjust-
11	ment by a public housing agency that experienced a
12	significant increase, as determined by the Secretary,
13	in renewal costs of vouchers resulting from unfore-
14	seen circumstances or from portability under section
15	8(r) of the Act; (2) for vouchers that were not in use
16	during the previous 12-month period in order to be
17	available to meet a commitment pursuant to section
18	8(o)(13) of the Act; (3) for adjustments for costs as-
19	sociated with HUD-Veterans Affairs Supportive
20	Housing (HUD-VASH) vouchers; and (4) for public
21	housing agencies that despite taking reasonable cost
22	savings measures, as determined by the Secretary,
23	would otherwise be required to terminate rental as-
24	sistance for families as a result of insufficient fund-
25	ing: Provided further, That the Secretary shall allo-



cate amounts under the previous proviso based on
need, as determined by the Secretary;

(2) \$85,000,000 shall be for section 8 rental as-
sistance for relocation and replacement of housing
units that are demolished or disposed of pursuant to
section 18 of the Act, conversion of section 23
projects to assistance under section 8, the family
unification program under section 8(x) of the Act,
relocation of witnesses in connection with efforts to
combat crime in public and assisted housing pursu-
ant to a request from a law enforcement or prosecu-
tion agency, enhanced vouchers under any provision
of law authorizing such assistance under section 8(t)
of the Act, Choice Neighborhood vouchers, manda-
tory and voluntary conversions, and tenant protec-
tion assistance including replacement and relocation
assistance or for project-based assistance to prevent
the displacement of unassisted elderly tenants cur-
rently residing in section 202 properties financed be-
tween 1959 and 1974 that are refinanced pursuant
to Public Law 106–569, as amended, or under the
authority as provided under this Act: Provided, That
when a public housing development is submitted for
demolition or disposition under section 18 of the
Act, the Secretary may provide section 8 rental as-

1	sistance when the units pose an imminent health
2	and safety risk to residents: Provided further, That
3	the Secretary may only provide replacement vouch-
4	ers for units that were occupied within the previous
5	24 months that cease to be available as assisted
6	housing, subject only to the availability of funds:
7	Provided further, That of the amounts made avail-
8	able under this paragraph, \$5,000,000 may be avail-
9	able to provide tenant protection assistance, not oth-
10	erwise provided under this paragraph, to residents
11	residing in low vacancy areas and who may have to
12	pay rents greater than 30 percent of household in-
13	come, as the result of: (A) the maturity of a HUD-
14	insured, HUD-held or section 202 loan that requires
15	the permission of the Secretary prior to loan prepay-
16	ment; (B) the expiration of a rental assistance con-
17	tract for which the tenants are not eligible for en-
18	hanced voucher or tenant protection assistance
19	under existing law; or (C) the expiration of afford-
20	ability restrictions accompanying a mortgage or
21	preservation program administered by the Secretary
22	Provided further, That such tenant protection assist-
23	ance made available under the previous proviso may
24	be provided under the authority of section 8(t) or
25	section 8(o)(13) of the United States Housing Act



1	of 1937 (42 U.S.C. 1437f(t)): <i>Provided further</i> , That
2	the Secretary shall issue guidance to implement the
3	previous provisos, including, but not limited to, re-
4	quirements for defining eligible at-risk households
5	within 60 days of the enactment of this Act: Pro-
6	vided further, That any tenant protection voucher
7	made available from amounts under this paragraph
8	shall not be reissued by any public housing agency,
9	except the replacement vouchers as defined by the
10	Secretary by notice, when the initial family that re-
11	ceived any such voucher no longer receives such
12	voucher, and the authority for any public housing
13	agency to issue any such voucher shall cease to exist:
14	Provided further, That the Secretary may provide
15	section 8 rental assistance from amounts made
16	available under this paragraph for units assisted
17	under a project-based subsidy contract funded under
18	the "Project-Based Rental Assistance" heading
19	under this title where the owner has received a No-
20	tice of Default and the units pose an imminent
21	health and safety risk to residents: Provided further,
22	That to the extent that the Secretary determines
23	that such units are not feasible for continued rental
24	assistance payments or transfer of the subsidy con-
25	tract associated with such units to another project



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or projects and owner or owners, any remaining	3
amounts associated with such units under such con	-
tract shall be recaptured and used to reimburse	е
amounts used under this paragraph for rental assist	-
ance under the preceding proviso;	

(3) \$1,886,000,000 shall be for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD-VASH vouchers, and other special purpose incremental vouchers: Provided, That no less than \$1,856,000,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2019 funding cycle based on section 8(q) of the Act (and related Appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105–276): Provided further, That if the amounts made available under this paragraph are insufficient to pay the

amounts determined under the previous proviso, the
Secretary may decrease the amounts allocated to
agencies by a uniform percentage applicable to all
agencies receiving funding under this paragraph or
may, to the extent necessary to provide full payment
of amounts determined under the previous proviso,
utilize unobligated balances, including recaptures
and carryovers, remaining from funds appropriated
to the Department of Housing and Urban Develop-
ment under this heading from prior fiscal years, ex-
cluding special purpose vouchers, notwithstanding
the purposes for which such amounts were appro-
priated: Provided further, That all public housing
agencies participating in the MTW demonstration
shall be funded pursuant to their MTW agreements,
and shall be subject to the same uniform percentage
decrease as under the previous proviso: Provided fur-
ther, That amounts provided under this paragraph
shall be only for activities related to the provision of
tenant-based rental assistance authorized under sec-
tion 8, including related development activities;

(4) \$225,000,000 for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administra-

tive expenses: Provided, That administrative and
other expenses of public housing agencies in admin-
istering the special purpose vouchers in this para-
graph shall be funded under the same terms and be
subject to the same pro rata reduction as the per-
cent decrease for administrative and other expenses
to public housing agencies under paragraph (3) of
this heading: Provided further, That any amounts
provided under this paragraph in this Act or prior
Acts, remaining available after funding renewals and
administrative expenses under this paragraph, shall
be available only for incremental tenant-based rental
assistance contracts under such section 811 for non-
elderly persons with disabilities, including necessary
administrative expenses: Provided further, That upon
turnover, section 811 special purpose vouchers fund-
ed under this heading in this or prior Acts, or under
any other heading in prior Acts, shall be provided to
non-elderly persons with disabilities;

(5) \$4,000,000 shall be for rental assistance and associated administrative fees for Tribal HUD–VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal

L	grants to recipients that received assistance under
2	prior Acts under the Tribal HUD-VASH program:
3	Provided further, That the Secretary shall be author-
4	ized to specify criteria for renewal grants, including
5	data on the utilization of assistance reported by
6	grant recipients: Provided further, That such assist-
7	ance shall be administered in accordance with pro-
8	gram requirements under the Native American
9	Housing Assistance and Self-Determination Act of
10	1996 and modeled after the HUD-VASH program:
11	Provided further, That the Secretary shall be author-
12	ized to waive, or specify alternative requirements for
13	any provision of any statute or regulation that the
14	Secretary administers in connection with the use of
15	funds made available under this paragraph (except
16	for requirements related to fair housing, non-
17	discrimination, labor standards, and the environ-
18	ment), upon a finding by the Secretary that any
19	such waivers or alternative requirements are nec-
20	essary for the effective delivery and administration
21	of such assistance: Provided further, That grant re-
22	cipients shall report to the Secretary on utilization
23	of such rental assistance and other program data, as
24	prescribed by the Secretary: Provided further, That
25	the Secretary may reallocate, as determined by the



l	Secretary,	amounts	returned	or	recaptured	from
2	awards und	der prior a	cts;			

3	(6) \$40,000,000 for incremental rental voucher
4	assistance for use through a supported housing pro-
5	gram administered in conjunction with the Depart-
6	ment of Veterans Affairs as authorized under section
7	8(o)(19) of the United States Housing Act of 1937
8	Provided, That the Secretary of Housing and Urban
9	Development shall make such funding available, not-
10	withstanding section 203 (competition provision) of
11	this title, to public housing agencies that partner
12	with eligible VA Medical Centers or other entities as
13	designated by the Secretary of the Department of
14	Veterans Affairs, based on geographical need for
15	such assistance as identified by the Secretary of the
16	Department of Veterans Affairs, public housing
17	agency administrative performance, and other fac-
18	tors as specified by the Secretary of Housing and
19	Urban Development in consultation with the Sec-
20	retary of the Department of Veterans Affairs: Pro-
21	vided further, That the Secretary of Housing and
22	Urban Development may waive, or specify alter-
23	native requirements for (in consultation with the
24	Secretary of the Department of Veterans Affairs)
25	any provision of any statute or regulation that the

Secretary of Housing and Urban Development administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such voucher assistance: *Provided further*, That assistance made available under this paragraph shall continue to remain available for homeless veterans upon turn-over;

(7) \$20,000,000 shall be made available for new incremental voucher assistance through the family unification program as authorized by section 8(x) of the Act: Provided, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover: Provided further, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies

1	based on need for voucher assistance in connection
2	with such program;

(8) \$25,000,000 shall be made available for the
mobility demonstration authorized under section 235
of this title, of which up to \$5,000,000 shall be for
new incremental voucher assistance and the remain-
der of which shall be available to provide mobility-
related services to families with children, including
pre- and post-move counseling and rent deposits,
and to offset the administrative costs of operating
the mobility demonstration: Provided, That incre-
mental voucher assistance made available under this
paragraph shall be for families with children partici-
pating in the mobility demonstration and shall con-
tinue to remain available for families with children
upon turnover: Provided further, That for any public
housing agency administering voucher assistance
under the mobility demonstration that determines
that it no longer has an identified need for such as-
sistance upon turnover, such agency shall notify the
Secretary, and the Secretary shall recapture such as-
sistance from the agency and reallocate it to any
other public housing agency or agencies based on
need for voucher assistance in connection with such
demonstration; and

1	(9) the Secretary shall separately track all spe-
2	cial purpose vouchers funded under this heading.
3	HOUSING CERTIFICATE FUND
4	(INCLUDING RESCISSIONS)
5	Unobligated balances, including recaptures and car-
6	ryover, remaining from funds appropriated to the Depart-
7	ment of Housing and Urban Development under this
8	heading, the heading "Annual Contributions for Assisted
9	Housing" and the heading "Project-Based Rental Assist-
10	ance", for fiscal year 2019 and prior years may be used
11	for renewal of or amendments to section 8 project-based
12	contracts and for performance-based contract administra-
13	tors, notwithstanding the purposes for which such funds
14	were appropriated: Provided, That any obligated balances
15	of contract authority from fiscal year 1974 and prior that
16	have been terminated shall be rescinded: Provided further
17	That amounts heretofore recaptured, or recaptured during
18	the current fiscal year, from section 8 project-based con-
19	tracts from source years fiscal year 1975 through fiscal
20	year 1987 are hereby rescinded, and an amount of addi-
21	tional new budget authority, equivalent to the amount re-
22	scinded is hereby appropriated, to remain available until
23	expended, for the purposes set forth under this heading
24	in addition to amounts otherwise available



1	PUBLIC HOUSING CAPITAL FUND
2	For the Public Housing Capital Fund Program to
3	carry out capital and management activities for public
4	housing agencies, as authorized under section 9 of the
5	United States Housing Act of 1937 (42 U.S.C. 1437g)
6	(the "Act") \$2,775,000,000, to remain available until
7	September 30, 2022: Provided, That notwithstanding any
8	other provision of law or regulation, during fiscal year
9	2019, the Secretary of Housing and Urban Development
10	may not delegate to any Department official other than
11	the Deputy Secretary and the Assistant Secretary for
12	Public and Indian Housing any authority under paragraph
13	(2) of section 9(j) regarding the extension of the time peri-
14	ods under such section: Provided further, That for pur-
15	poses of such section 9(j), the term "obligate" means, with
16	respect to amounts, that the amounts are subject to a
17	binding agreement that will result in outlays, immediately
18	or in the future: Provided further, That of the total
19	amount made available under this heading, up to
20	\$14,000,000 shall be to support ongoing public housing
21	financial and physical assessment activities: Provided fur-
22	ther, That of the total amount made available under this
23	heading, up to $$1,000,000$ shall be to support the costs
24	of administrative and judicial receiverships: $Provided\ fur-$
25	ther. That of the total amount provided under this head-



- 1 ing, not to exceed \$30,000,000 shall be available for the
- 2 Secretary to make grants, notwithstanding section 203 of
- 3 this Act, to public housing agencies for emergency capital
- 4 needs including safety and security measures necessary to
- 5 address crime and drug-related activity as well as needs
- 6 resulting from unforeseen or unpreventable emergencies
- 7 and natural disasters excluding Presidentially declared
- 8 emergencies and natural disasters under the Robert T.
- 9 Stafford Disaster Relief and Emergency Act (42 U.S.C.
- 10 5121 et seq.) occurring in fiscal year 2019: Provided fur-
- 11 ther, That of the amount made available under the pre-
- 12 vious proviso, not less than \$10,000,000 shall be for safety
- 13 and security measures: Provided further, That in addition
- 14 to the amount in the previous proviso for such safety and
- 15 security measures, any amounts that remain available,
- 16 after all applications received on or before September 30,
- 17 2020, for emergency capital needs have been processed,
- 18 shall be allocated to public housing agencies for such safe-
- 19 ty and security measures: Provided further, That of the
- 20 total amount provided under this heading, up to
- 21 \$35,000,000 shall be for supportive services, service coor-
- 22 dinators and congregate services as authorized by section
- 23 34 of the Act (42 U.S.C. 1437z-6) and the Native Amer-
- 24 ican Housing Assistance and Self-Determination Act of
- 25 1996 (25 U.S.C. 4101 et seq.): Provided further, That of



- 1 the total amount made available under this heading,
- 2 \$15,000,000 shall be for a Jobs-Plus initiative modeled
- 3 after the Jobs-Plus demonstration: Provided further, That
- 4 funding provided under the previous proviso shall be avail-
- 5 able for competitive grants to partnerships between public
- 6 housing authorities, local workforce investment boards es-
- 7 tablished under section 107 of the Workforce Innovation
- 8 and Opportunity Act of 2014 (29 U.S.C. 3122), and other
- 9 agencies and organizations that provide support to help
- 10 public housing residents obtain employment and increase
- 11 earnings: Provided further, That applicants must dem-
- 12 onstrate the ability to provide services to residents, part-
- 13 ner with workforce investment boards, and leverage service
- 14 dollars: Provided further, That the Secretary may allow
- 15 public housing agencies to request exemptions from rent
- 16 and income limitation requirements under sections 3 and
- 17 6 of the United States Housing Act of 1937 (42 U.S.C.
- 18 1437a and 1437d), as necessary to implement the Jobs-
- 19 Plus program, on such terms and conditions as the Sec-
- 20 retary may approve upon a finding by the Secretary that
- 21 any such waivers or alternative requirements are nec-
- 22 essary for the effective implementation of the Jobs-Plus
- 23 initiative as a voluntary program for residents: Provided
- 24 further, That the Secretary shall publish by notice in the
- 25 Federal Register any waivers or alternative requirements



- 1 pursuant to the preceding proviso no later than 10 days
- 2 before the effective date of such notice: Provided further,
- 3 That for funds provided under this heading, the limitation
- 4 in section 9(g)(1) of the Act shall be 25 percent: Provided
- 5 further, That the Secretary may waive the limitation in
- 6 the previous proviso to allow public housing agencies to
- 7 fund activities authorized under section 9(e)(1)(C) of the
- 8 Act: Provided further, That the Secretary shall notify pub-
- 9 lic housing agencies requesting waivers under the previous
- 10 proviso if the request is approved or denied within 14 days
- 11 of submitting the request: Provided further, That from the
- 12 funds made available under this heading, the Secretary
- 13 shall provide bonus awards in fiscal year 2019 to public
- 14 housing agencies that are designated high performers:
- 15 Provided further, That the Department shall notify public
- 16 housing agencies of their formula allocation within 60
- 17 days of enactment of this Act: Provided further, That of
- 18 the total amount provided under this heading,
- 19 \$25,000,000 shall be available for competitive grants to
- 20 public housing agencies to evaluate and reduce lead-based
- 21 paint hazards in public housing by carrying out the activi-
- 22 ties of risk assessments, abatement, and interim controls
- 23 (as those terms are defined in section 1004 of the Residen-
- 24 tial Lead-Based Paint Hazard Reduction Act of 1992 (42
- 25 U.S.C. 4851b)): Provided further, That for purposes of en-

- 1 vironmental review, a grant under the previous proviso
- 2 shall be considered funds for projects or activities under
- 3 title I of the United States Housing Act of 1937 (42
- 4 U.S.C. 1437 et seq.) for purposes of section 26 of such
- 5 Act (42 U.S.C. 1437x) and shall be subject to the regula-
- 6 tions implementing such section.
- 7 PUBLIC HOUSING OPERATING FUND
- 8 For 2019 payments to public housing agencies for the
- 9 operation and management of public housing, as author-
- 10 ized by section 9(e) of the United States Housing Act of
- 11 1937 (42 U.S.C. 1437g(e)), \$4,653,116,000, to remain
- 12 available until September 30, 2020.
- 13 CHOICE NEIGHBORHOODS INITIATIVE
- 14 For competitive grants under the Choice Neighbor-
- 15 hoods Initiative (subject to section 24 of the United States
- 16 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise
- 17 specified under this heading), for transformation, rehabili-
- 18 tation, and replacement housing needs of both public and
- 19 HUD-assisted housing and to transform neighborhoods of
- 20 poverty into functioning, sustainable mixed income neigh-
- 21 borhoods with appropriate services, schools, public assets,
- 22 transportation and access to jobs, \$150,000,000, to re-
- 23 main available until September 30, 2021: Provided, That
- 24 grant funds may be used for resident and community serv-
- 25 ices, community development, and affordable housing



- 1 needs in the community, and for conversion of vacant or
- 2 foreclosed properties to affordable housing: Provided fur-
- 3 ther, That the use of funds made available under this
- 4 heading shall not be deemed to be public housing notwith-
- 5 standing section 3(b)(1) of such Act: Provided further,
- 6 That grantees shall commit to an additional period of af-
- 7 fordability determined by the Secretary of not fewer than
- 8 20 years: Provided further, That grantees shall provide a
- 9 match in State, local, other Federal or private funds: Pro-
- 10 vided further, That grantees may include local govern-
- 11 ments, tribal entities, public housing authorities, and non-
- 12 profits: Provided further, That for-profit developers may
- 13 apply jointly with a public entity: Provided further, That
- 14 for purposes of environmental review, a grantee shall be
- 15 treated as a public housing agency under section 26 of
- 16 the United States Housing Act of 1937 (42 U.S.C.
- 17 1437x), and grants under this heading shall be subject
- 18 to the regulations issued by the Secretary to implement
- 19 such section: Provided further, That of the amount pro-
- 20 vided, not less than \$75,000,000 shall be awarded to pub-
- 21 lie housing agencies: Provided further, That such grantees
- 22 shall create partnerships with other local organizations in-
- 23 cluding assisted housing owners, service agencies, and
- 24 resident organizations: Provided further, That the Sec-
- 25 retary shall consult with the Secretaries of Education,

- 1 Labor, Transportation, Health and Human Services, Agri-
- 2 culture, and Commerce, the Attorney General, and the Ad-
- 3 ministrator of the Environmental Protection Agency to co-
- 4 ordinate and leverage other appropriate Federal resources:
- 5 Provided further, That no more than \$5,000,000 of funds
- 6 made available under this heading may be provided as
- 7 grants to undertake comprehensive local planning with
- 8 input from residents and the community: Provided further,
- 9 That unobligated balances, including recaptures, remain-
- 10 ing from funds appropriated under the heading "Revital-
- 11 ization of Severely Distressed Public Housing (HOPE
- 12 VI)" in fiscal year 2011 and prior fiscal years may be used
- 13 for purposes under this heading, notwithstanding the pur-
- 14 poses for which such amounts were appropriated: Provided
- 15 further, That the Secretary shall issue the Notice of Fund-
- 16 ing Availability for funds made available under this head-
- 17 ing no later than 60 days after enactment of this Act: Pro-
- 18 vided further, That the Secretary shall make grant awards
- 19 no later than one year from the date of enactment of this
- 20 Act in such amounts that the Secretary determines: Pro-
- 21 vided further, That notwithstanding section 24(o) of the
- 22 United States Housing Act of 1937 (42 U.S.C. 1437v(o)),
- 23 the Secretary may, until September 30, 2019, obligate any
- 24 available unobligated balances made available under this
- 25 heading in this, or any prior Act.



1	FAMILY SELF-SUFFICIENCY							
2	For the Family Self-Sufficiency program to support							
3	family self-sufficiency coordinators under section 23 of the							
4	United States Housing Act of 1937, to promote the devel-							
5	opment of local strategies to coordinate the use of assist-							
6	ance under sections 8(o) and 9 of such Act with public							
7	and private resources, and enable eligible families to							
8	achieve economic independence and self-sufficiency,							
9	\$80,000,000, to remain available until September 30,							
10	$2020 \colon Provided,$ That the Secretary may, by Federal Reg-							
11	ister notice, waive or specify alternative requirements							
12	under subsections $b(3)$, $b(4)$, $b(5)$, or $c(1)$ of section 23							
13	of such Act in order to facilitate the operation of a unified							
14	self-sufficiency program for individuals receiving assist-							
15	ance under different provisions of the Act, as determined							
16	by the Secretary: Provided further, That owners of a pri-							
17	vately owned multifamily property with a section 8 con-							
18	tract may voluntarily make a Family Self-Sufficiency pro-							
19	gram available to the assisted tenants of such property							
20	in accordance with procedures established by the Sec-							
21	${\it retary:}\ {\it Provided}\ {\it further},\ {\it That}\ {\it such}\ {\it procedures}\ {\it established}$							
22	pursuant to the previous proviso shall permit participating							
23	tenants to accrue escrow funds in accordance with section							
24	23(d)(2) and shall allow owners to use funding from resid-							



1	ual receipt accounts to hire coordinators for their own
2	Family Self-Sufficiency program.
3	NATIVE AMERICAN HOUSING BLOCK GRANTS
4	(INCLUDING TRANSFER OF FUNDS)
5	For the Native American Housing Block Grants pro-
6	gram, as authorized under title I of the Native American
7	Housing Assistance and Self-Determination Act of 1996
8	(NAHASDA) (25 U.S.C. 4111 et seq.), \$655,000,000, to
9	remain available until September 30, 2023: Provided
10	That, notwithstanding NAHASDA, to determine the
11	amount of the allocation under title I of such Act for each
12	Indian tribe, the Secretary shall apply the formula under
13	section 302 of such Act with the need component based
14	on single-race census data and with the need component
15	based on multi-race census data, and the amount of the
16	allocation for each Indian tribe shall be the greater of the
17	two resulting allocation amounts: Provided further, That
18	of the amounts made available under this heading
19	\$7,000,000 shall be for providing training and technical
20	assistance to Indian housing authorities and tribally des-
21	ignated housing entities, to support the inspection of In-
22	dian housing units, contract expertise, and for training
23	and technical assistance related to funding provided under
24	this heading and other headings under this Act for the
25	needs of Native American families and Indian country



- 1 Provided further, That of the funds made available under
- 2 the previous proviso, not less than \$2,000,000 shall be
- 3 made available for a national organization as authorized
- 4 under section 703 of NAHASDA (25 U.S.C. 4212): Pro-
- 5 vided further, That amounts made available under the pre-
- 6 vious two provisos may be used, contracted, or competed
- 7 as determined by the Secretary: Provided further, That of
- 8 the amount provided under this heading, \$2,000,000 shall
- 9 be made available for the cost of guaranteed notes and
- 10 other obligations, as authorized by title VI of NAHASDA:
- 11 Provided further, That such costs, including the costs of
- 12 modifying such notes and other obligations, shall be as de-
- 13 fined in section 502 of the Congressional Budget Act of
- 14 1974, as amended: Provided further, That these funds are
- 15 available to subsidize the total principal amount of any
- 16 notes and other obligations, any part of which is to be
- 17 guaranteed, not to exceed \$17,761,989: Provided further,
- 18 That the Department will notify grantees of their formula
- 19 allocation within 60 days of the date of enactment of this
- 20 Act: Provided further, That for an additional amount for
- 21 the Native American Housing Block Grants program, as
- 22 authorized under title I of NAHASDA, \$100,000,000 to
- 23 remain available until September 30, 2023: Provided fur-
- 24 ther, That the Secretary shall obligate this additional
- 25 amount for competitive grants to eligible recipients au-

- 1 thorized under NAHASDA that apply for funds: *Provided*
- 2 further, That in awarding this additional amount, the Sec-
- 3 retary shall consider need and administrative capacity,
- 4 and shall give priority to projects that will spur construc-
- 5 tion and rehabilitation: Provided further, That up to 1 per-
- 6 cent of this additional amount may be transferred, in ag-
- 7 gregate, to "Program Office Salaries and Expenses—Pub-
- 8 lic and Indian Housing" for necessary costs of admin-
- 9 istering and overseeing the obligation and expenditure of
- 10 this additional amount: Provided further, That any funds
- 11 transferred pursuant to the previous proviso shall remain
- 12 available until September 30, 2024.
- 13 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
- 14 ACCOUNT
- 15 For the cost of guaranteed loans, as authorized by
- 16 section 184 of the Housing and Community Development
- 17 Act of 1992 (12 U.S.C. 1715z–13a), \$1,440,000, to re-
- 18 main available until expended: *Provided*, That such costs,
- 19 including the costs of modifying such loans, shall be as
- 20 defined in section 502 of the Congressional Budget Act
- 21 of 1974: Provided further, That these funds are available
- 22 to subsidize total loan principal, any part of which is to
- 23 be guaranteed, up to \$553,846,154, to remain available
- 24 until expended: Provided further, That up to \$750,000 of
- 25 this amount may be for administrative contract expenses



- 1 including management processes and systems to carry out
- 2 the loan guarantee program.
- 3 NATIVE HAWAIIAN HOUSING BLOCK GRANT
- 4 For the Native Hawaiian Housing Block Grant pro-
- 5 gram, as authorized under title VIII of the Native Amer-
- 6 ican Housing Assistance and Self-Determination Act of
- 7 1996 (25 U.S.C. 4111 et seq.), \$2,000,000, to remain
- 8 available until September 30, 2023: Provided, That not-
- 9 withstanding section 812(b) of such Act, the Department
- 10 of Hawaiian Home Lands may not invest grant amounts
- 11 provided under this heading in investment securities and
- 12 other obligations: Provided further, That amounts made
- 13 available under this heading in this and prior fiscal years
- 14 may be used to provide rental assistance to eligible Native
- 15 Hawaiian families both on and off the Hawaiian Home
- 16 Lands, notwithstanding any other provision of law.
- 17 COMMUNITY PLANNING AND DEVELOPMENT
- 18 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS
- 19 For carrying out the Housing Opportunities for Per-
- 20 sons with AIDS program, as authorized by the AIDS
- 21 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
- 22 \$393,000,000, to remain available until September 30,
- 23 2020, except that amounts allocated pursuant to section
- 24 854(c)(5) of such Act shall remain available until Sep-
- 25 tember 30, 2021: Provided, That the Secretary shall renew



- 1 all expiring contracts for permanent supportive housing
- 2 that initially were funded under section 854(c)(5) of such
- 3 Act from funds made available under this heading in fiscal
- 4 year 2010 and prior fiscal years that meet all program
- 5 requirements before awarding funds for new contracts
- 6 under such section: Provided further, That the Depart-
- 7 ment shall notify grantees of their formula allocation with-
- 8 in 60 days of enactment of this Act.
- 9 COMMUNITY DEVELOPMENT FUND
- 10 For assistance to units of State and local govern-
- 11 ment, and to other entities, for economic and community
- 12 development activities, and for other purposes,
- 13 \$3,365,000,000, to remain available until September 30,
- 14 2021, unless otherwise specified: Provided, That of the
- 15 total amount provided, \$3,300,000,000 is for carrying out
- 16 the community development block grant program under
- 17 title I of the Housing and Community Development Act
- 18 of 1974, as amended ("the Act" herein) (42 U.S.C. 5301
- 19 et seq.): Provided further, That unless explicitly provided
- 20 for under this heading, not to exceed 20 percent of any
- 21 grant made with funds appropriated under this heading
- 22 shall be expended for planning and management develop-
- 23 ment and administration: Provided further, That a metro-
- 24 politan city, urban county, unit of general local govern-
- 25 ment, Indian tribe, or insular area that directly or indi-



1	rectly receives funds under this heading may not sell,
2	trade, or otherwise transfer all or any portion of such
3	funds to another such entity in exchange for any other
4	funds, credits or non-Federal considerations, but must use
5	such funds for activities eligible under title I of the Act:
6	$\label{eq:provided_further} Provided\ further,\ {\it That\ notwithstanding\ section\ 105(e)(1)}$
7	of the Act, no funds provided under this heading may be
8	provided to a for-profit entity for an economic develop-
9	ment project under section $105(a)(17)$ unless such project
10	has been evaluated and selected in accordance with guide-
11	lines required under subsection (e)(2): $Provided\ further,$
12	That the Department shall notify grantees of their for-
13	mula allocation within 60 days of enactment of this Act:
14	$Provided\ further,$ That of the total amount provided under
15	this heading, $$65,000,000$ shall be for grants to Indian
16	tribes notwithstanding section 106(a)(1) of such Act, of
17	which, notwithstanding any other provision of law (includ-
18	ing section 203 of this Act), up to $\$4,000,000$ may be
19	used for emergencies that constitute imminent threats to
20	health and safety.
21	COMMUNITY DEVELOPMENT LOAN GUARANTEES
22	PROGRAM ACCOUNT
23	Subject to section 502 of the Congressional Budget
24	Act of 1974, during fiscal year 2019, commitments to



25 guarantee loans under section 108 of the Housing and

1	Community Development Act of 1974 (42 U.S.C. 5308)								
2	any part of which is guaranteed, shall not exceed a total								
3	principal amount of \$300,000,000, notwithstanding any								
4	aggregate limitation on outstanding obligations guaran-								
5	teed in subsection (k) of such section 108: Provided, That								
6	the Secretary shall collect fees from borrowers, notwith-								
7	standing subsection (m) of such section 108, to result in								
8	a credit subsidy cost of zero for guaranteeing such loans								
9	and any such fees shall be collected in accordance with								
10	section 502(7) of the Congressional Budget Act of 1974								
11	HOME INVESTMENT PARTNERSHIPS PROGRAM								
12	For the HOME Investment Partnerships program, as								
13	authorized under title II of the Cranston-Gonzalez Na-								
14	tional Affordable Housing Act, as amended								
15	\$1,250,000,000, to remain available until September 30								
16	2022: Provided, That notwithstanding the amount made								
17	available under this heading, the threshold reduction re-								
18	quirements in sections 216(10) and 217(b)(4) of such Act								
19	shall not apply to allocations of such amount: Provided								
20	further, That the Department shall notify grantees of their								
21	formula allocation within 60 days of enactment of this Act								
22	SELF-HELP AND ASSISTED HOMEOWNERSHIP								
23	OPPORTUNITY PROGRAM								
24	For the Self-Help and Assisted Homeownership Op-								
25	nortunity Program, as authorized under section 11 of the								



- 1 Housing Opportunity Program Extension Act of 1996, as
- 2 amended, \$54,000,000, to remain available until Sep-
- 3 tember 30, 2021: Provided, That of the total amount pro-
- 4 vided under this heading, \$10,000,000 shall be made
- 5 available to the Self-Help Homeownership Opportunity
- 6 Program as authorized under section 11 of the Housing
- 7 Opportunity Program Extension Act of 1996, as amended:
- 8 Provided further, That of the total amount provided under
- 9 this heading, \$35,000,000 shall be made available for the
- 10 second, third, and fourth capacity building activities au-
- 11 thorized under section 4(a) of the HUD Demonstration
- 12 Act of 1993 (42 U.S.C. 9816 note), of which not less than
- 13 \$5,000,000 shall be made available for rural capacity
- 14 building activities: Provided further, That of the total
- 15 amount provided under this heading, \$5,000,000 shall be
- 16 made available for capacity building by national rural
- 17 housing organizations with experience assessing national
- 18 rural conditions and providing financing, training, tech-
- 19 nical assistance, information, and research to local non-
- 20 profits, local governments, and Indian Tribes serving high
- 21 need rural communities: Provided further, That of the
- 22 total amount provided under this heading, \$4,000,000,
- 23 shall be made available for a program to rehabilitate and
- 24 modify the homes of disabled or low-income veterans, as
- 25 authorized under section 1079 of Public Law 113–291:



- 1 Provided further, That funds provided under the previous
- 2 proviso shall be awarded within 180 days of enactment
- 3 of this Act: Provided further, That funds provided for such
- 4 program in fiscal years 2016, 2017, and 2018 shall be
- 5 awarded within 60 days of enactment of this Act.
- 6 HOMELESS ASSISTANCE GRANTS
- 7 For the Emergency Solutions Grants program as au-
- 8 thorized under subtitle B of title IV of the McKinney-
- 9 Vento Homeless Assistance Act, as amended; the Con-
- 10 tinuum of Care program as authorized under subtitle C
- 11 of title IV of such Act; and the Rural Housing Stability
- 12 Assistance program as authorized under subtitle D of title
- 13 IV of such Act, \$2,636,000,000, to remain available until
- 14 September 30, 2021: Provided, That any rental assistance
- 15 amounts that are recaptured under such Continuum of
- 16 Care program shall remain available until expended: Pro-
- 17 vided further, That not less than \$280,000,000 of the
- 18 funds appropriated under this heading shall be available
- 19 for such Emergency Solutions Grants program: Provided
- 20 further, That not less than \$2,219,000,000 of the funds
- 21 appropriated under this heading shall be available for such
- 22 Continuum of Care and Rural Housing Stability Assist-
- 23 ance programs: Provided further, That of the amounts
- 24 made available under this heading, up to \$50,000,000
- 25 shall be made available for grants for rapid re-housing



1	projects and supportive service projects providing coordi-
2	nated entry, and for eligible activities the Secretary deter-
3	mines to be critical in order to assist survivors of domestic
4	violence, dating violence, and stalking: Provided further
5	That such projects shall be eligible for renewal under the
6	continuum of care program subject to the same terms and
7	conditions as other renewal applicants: Provided further
8	That up to \$7,000,000 of the funds appropriated under
9	this heading shall be available for the national homeless
10	data analysis project: Provided further, That all funds
11	awarded for supportive services under the Continuum of
12	Care program and the Rural Housing Stability Assistance
13	program shall be matched by not less than 25 percent in
14	cash or in kind by each grantee: Provided further, That
15	for all match requirements applicable to funds made avail-
16	able under this heading for this fiscal year and prior fiscal
17	years, a grantee may use (or could have used) as a source
18	of match funds other funds administered by the Secretary
19	and other Federal agencies unless there is (or was) a spe-
20	cific statutory prohibition on any such use of any such
21	funds: Provided further, That the Secretary shall collect
22	system performance measures for each continuum of care
23	and that relative to fiscal year 2015, under the Continuum
24	of Care competition with respect to funds made available
25	under this heading the Secretary shall base an increasing



1	share of the score on performance criteria: Provided fur-
2	ther, That none of the funds provided under this heading
3	shall be available to provide funding for new projects, ex-
4	cept for projects created through reallocation, unless the
5	Secretary determines that the continuum of care has dem-
6	onstrated that projects are evaluated and ranked based
7	on the degree to which they improve the continuum of
8	care's system performance: Provided further, That the
9	Secretary shall prioritize funding under the Continuum of
10	Care program to continuums of care that have dem-
11	onstrated a capacity to reallocate funding from lower per-
12	forming projects to higher performing projects: $Provided$
13	further, That all awards of assistance under this heading
14	shall be required to coordinate and integrate homeless pro-
15	grams with other mainstream health, social services, and
16	employment programs for which homeless populations
17	may be eligible: Provided further, That any unobligated
18	amounts remaining from funds appropriated under this
19	heading in fiscal year 2012 and prior years for project-
20	based rental assistance for rehabilitation projects with 10-
21	year grant terms may be used for purposes under this
22	heading, notwithstanding the purposes for which such
23	funds were appropriated: Provided further, That all bal-
24	ances for Shelter Plus Care renewals previously funded



25 from the Shelter Plus Care Renewal account and trans-

1	ferred to this account shall be available, if recaptured, for
2	Continuum of Care renewals in fiscal year 2019: Provided
3	further, That the Department shall notify grantees of their
4	formula allocation from amounts allocated (which may
5	represent initial or final amounts allocated) for the Emer-
6	gency Solutions Grant program within 60 days of enact-
7	ment of this Act: Provided further, That up to
8	\$80,000,000 of the funds appropriated under this heading
9	shall be to implement projects to demonstrate how a com-
10	prehensive approach to serving homeless youth, age 24
11	and under, in up to 25 communities, including at least
12	eight communities with substantial rural populations, can
13	${\it dramatically reduce youth homelessness: } \textit{Provided further},$
14	That of the amount made available under the previous
15	proviso, up to \$5,000,000 shall be available to provide
16	technical assistance on youth homelessness, and collection,
17	analysis, and reporting of data and performance measures
18	under the comprehensive approaches to serve homeless
19	youth, in addition to and in coordination with other tech-
20	nical assistance funds provided under this title: Provided

21 further, That such projects shall be eligible for renewal

22 under the continuum of care program subject to the same

24 vided further, That youth aged 24 and under seeking as-

terms and conditions as other renewal applicants: Pro-

sistance under this heading shall not be required to pro-

AMERICAN OVERSIGHT

- 1 vide third party documentation to establish their eligibility
- 2 under 42 U.S.C. 11302(a) or (b) to receive services: Pro-
- 3 vided further, That unaccompanied youth aged 24 and
- 4 under or families headed by youth aged 24 and under who
- 5 are living in unsafe situations may be served by youth-
- 6 serving providers funded under this heading.
- 7 Housing Programs
- 8 PROJECT-BASED RENTAL ASSISTANCE
- 9 For activities and assistance for the provision of
- 10 project-based subsidy contracts under the United States
- 11 Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the
- 12 Act"), not otherwise provided for, \$11,347,000,000, to re-
- 13 main available until expended, shall be available on Octo-
- 14 ber 1, 2018 (in addition to the \$400,000,000 previously
- 15 appropriated under this heading that became available Oc-
- 16 tober 1, 2018), and \$400,000,000, to remain available
- 17 until expended, shall be available on October 1, 2019: Pro-
- 18 vided, That the amounts made available under this head-
- 19 ing shall be available for expiring or terminating section
- 20 8 project-based subsidy contracts (including section 8
- 21 moderate rehabilitation contracts), for amendments to sec-
- 22 tion 8 project-based subsidy contracts (including section
- 23 8 moderate rehabilitation contracts), for contracts entered
- 24 into pursuant to section 441 of the McKinney-Vento
- 25 Homeless Assistance Act (42 U.S.C. 11401), for renewal



- 1 of section 8 contracts for units in projects that are subject
- 2 to approved plans of action under the Emergency Low In-
- 3 come Housing Preservation Act of 1987 or the Low-In-
- 4 come Housing Preservation and Resident Homeownership
- 5 Act of 1990, and for administrative and other expenses
- 6 associated with project-based activities and assistance
- 7 funded under this paragraph: Provided further, That of
- 8 the total amounts provided under this heading, not to ex-
- 9 ceed \$245,000,000 shall be available for performance-
- 10 based contract administrators for section 8 project-based
- 11 assistance, for carrying out 42 U.S.C. 1437(f): Provided
- 12 further, That the Secretary may also use such amounts
- 13 in the previous proviso for performance-based contract ad-
- 14 ministrators for the administration of: interest reduction
- 15 payments pursuant to section 236(a) of the National
- 16 Housing Act (12 U.S.C. 1715z-1(a)); rent supplement
- 17 payments pursuant to section 101 of the Housing and
- 18 Urban Development Act of 1965 (12 U.S.C. 1701s); sec-
- 19 tion 236(f)(2) rental assistance payments (12 U.S.C.
- 20 1715z-1(f)(2)); project rental assistance contracts for the
- 21 elderly under section 202(c)(2) of the Housing Act of
- 22 1959 (12 U.S.C. 1701q); project rental assistance con-
- 23 tracts for supportive housing for persons with disabilities
- 24 under section 811(d)(2) of the Cranston-Gonzalez Na-
- 25 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));



- 1 project assistance contracts pursuant to section 202(h) of
- 2 the Housing Act of 1959 (Public Law 86–372; 73 Stat.
- 3 667); and loans under section 202 of the Housing Act of
- 4 1959 (Public Law 86–372; 73 Stat. 667): Provided fur-
- 5 ther, That amounts recaptured under this heading, the
- 6 heading "Annual Contributions for Assisted Housing", or
- 7 the heading "Housing Certificate Fund", may be used for
- 8 renewals of or amendments to section 8 project-based con-
- 9 tracts or for performance-based contract administrators,
- 10 notwithstanding the purposes for which such amounts
- 11 were appropriated: Provided further, That, notwith-
- 12 standing any other provision of law, upon the request of
- 13 the Secretary, project funds that are held in residual re-
- 14 ceipts accounts for any project subject to a section 8
- 15 project-based Housing Assistance Payments contract that
- 16 authorizes HUD or a Housing Finance Agency to require
- 17 that surplus project funds be deposited in an interest-
- 18 bearing residual receipts account and that are in excess
- 19 of an amount to be determined by the Secretary, shall be
- 20 remitted to the Department and deposited in this account,
- 21 to be available until expended: Provided further, That
- 22 amounts deposited pursuant to the previous proviso shall
- 23 be available in addition to the amount otherwise provided
- 24 by this heading for uses authorized under this heading.



1	HOUSING FOR THE ELDERLY						
2	For capital advances, including amendments to cap-						
3	ital advance contracts, for housing for the elderly, as au-						
4	thorized by section 202 of the Housing Act of 1959, as						
5	amended, for project rental assistance for the elderly						
6	under section 202(c)(2) of such Act, including amend-						
7	ments to contracts for such assistance and renewal of ex-						
8	piring contracts for such assistance for up to a 1-year						
9	term, for senior preservation rental assistance contracts,						
10	including renewals, as authorized by section $811(e)$ of the						
11	American Housing and Economic Opportunity Act of						
12	2000, as amended, and for supportive services associated						
13	with the housing, $$678,000,000$, to remain available until						
14	September 30, 2022: Provided, That of the amount pro-						
15	vided under this heading, up to \$90,000,000 shall be for						
16	service coordinators and the continuation of existing con-						
17	gregate service grants for residents of assisted housing						
18	projects: Provided further, That amounts under this head-						
19	ing shall be available for Real Estate Assessment Center						
20	inspections and inspection-related activities associated						
21	with section 202 projects: $Provided\ further,$ That the Sec-						
22	retary may waive the provisions of section 202 governing						
23	the terms and conditions of project rental assistance, ex-						
24	cept that the initial contract term for such assistance shall						
25	not exceed 5 years in duration: Provided further, That						



1	upon request of the Secretary, project funds that are held
2	in residual receipts accounts for any project subject to a
3	section 202 project rental assistance contract and, upor
4	termination of such contract, are in excess of an amount
5	to be determined by the Secretary shall be remitted to the
6	Department and deposited in this account, to remain
7	available until September 30, 2022: Provided further, That
8	amounts deposited in this account pursuant to the pre-
9	vious proviso shall be available, in addition to the amounts
10	otherwise provided by this heading, for amendments and
11	renewals: Provided further, That unobligated balances, in-
12	cluding recaptures and carryover, remaining from funds
13	transferred to or appropriated under this heading shall be
14	available for amendments and renewals in addition to the
15	purposes for which such funds originally were appro-
16	priated: Provided further, That of the total amount pro-
17	vided under this heading, \$10,000,000, shall be for a pro-
18	gram to be established by the Secretary to make grants
19	to experienced non-profit organizations, States, local gov-
20	ernments, or public housing agencies for safety and func-
21	tional home modification repairs to meet the needs of low-
22	income elderly persons to enable them to remain in their
23	primary residence: Provided further, That of the total
24	amount made available under the previous proviso, no less



- 1 than \$5,000,000 shall be available to meet such needs in
- 2 communities with substantial rural populations.
- 3 HOUSING FOR PERSONS WITH DISABILITIES
- 4 For capital advances, including amendments to cap-
- 5 ital advance contracts, for supportive housing for persons
- 6 with disabilities, as authorized by section 811 of the Cran-
- 7 ston-Gonzalez National Affordable Housing Act (42
- 8 U.S.C. 8013), as amended, for project rental assistance
- 9 for supportive housing for persons with disabilities under
- 10 section 811(d)(2) of such Act, for project assistance con-
- 11 tracts pursuant to section 202(h) of the Housing Act of
- 12 1959 (Public Law 86–372; 73 Stat. 667), including
- 13 amendments to contracts for such assistance and renewal
- 14 of expiring contracts for such assistance for up to a 1-
- 15 year term, for project rental assistance to State housing
- 16 finance agencies and other appropriate entities as author-
- 17 ized under section 811(b)(3) of the Cranston-Gonzalez
- 18 National Housing Act, and for supportive services associ-
- 19 ated with the housing for persons with disabilities as au-
- 20 thorized by section 811(b)(1) of such Act, \$184,155,000,
- 21 to remain available until September 30, 2022, of which
- 22 \$30,155,000 shall be for capital advance and project rent-
- 23 al assistance awards: Provided, That amounts made avail-
- 24 able under this heading shall be available for Real Estate
- 25 Assessment Center inspections and inspection-related ac-



- 1 tivities associated with section 811 projects: Provided fur-
- 2 ther, That, upon the request of the Secretary, project
- 3 funds that are held in residual receipts accounts for any
- 4 project subject to a section 811 project rental assistance
- 5 contract and, upon termination of such contract, are in
- 6 excess of an amount to be determined by the Secretary
- 7 shall be remitted to the Department and deposited in this
- 8 account, to remain available until September 30, 2022:
- 9 Provided further, That amounts deposited in this account
- 10 pursuant to the previous proviso shall be available in addi-
- 11 tion to the amounts otherwise provided by this heading
- 12 for amendments and renewals: Provided further, That un-
- 13 obligated balances, including recaptures and carryover, re-
- 14 maining from funds transferred to or appropriated under
- 15 this heading shall be used for amendments and renewals
- 16 in addition to the purposes for which such funds originally
- 17 were appropriated.
- 18 HOUSING COUNSELING ASSISTANCE
- 19 For contracts, grants, and other assistance excluding
- 20 loans, as authorized under section 106 of the Housing and
- 21 Urban Development Act of 1968, as amended,
- 22 \$50,000,000, to remain available until September 30,
- 23 2020, including up to \$4,500,000 for administrative con-
- 24 tract services: Provided, That grants made available from
- 25 amounts provided under this heading shall be awarded



- 1 within 180 days of enactment of this Act: Provided further,
- 2 That funds shall be used for providing counseling and ad-
- 3 vice to tenants and homeowners, both current and pro-
- 4 spective, with respect to property maintenance, financial
- 5 management or literacy, and such other matters as may
- 6 be appropriate to assist them in improving their housing
- 7 conditions, meeting their financial needs, and fulfilling the
- 8 responsibilities of tenancy or homeownership; for program
- 9 administration; and for housing counselor training: Pro-
- 10 vided further, That for purposes of providing such grants
- 11 from amounts provided under this heading, the Secretary
- 12 may enter into multiyear agreements, as appropriate, sub-
- 13 ject to the availability of annual appropriations.
- 14 RENTAL HOUSING ASSISTANCE
- For amendments to contracts under section 101 of
- 16 the Housing and Urban Development Act of 1965 (12
- 17 U.S.C. 1701s) and section 236(f)(2) of the National
- 18 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-
- 19 insured rental housing projects, \$5,000,000, to remain
- 20 available until expended: Provided, That such amount, to-
- 21 gether with unobligated balances from recaptured
- 22 amounts appropriated prior to fiscal year 2006 from ter-
- 23 minated contracts under such sections of law, and any un-
- 24 obligated balances, including recaptures and carryover, re-
- 25 maining from funds appropriated under this heading after



- 1 fiscal year 2005, shall also be available for extensions of
- 2 up to one year for expiring contracts under such sections
- 3 of law.
- 4 PAYMENT TO MANUFACTURED HOUSING FEES TRUST
- 5 FUND
- 6 For necessary expenses as authorized by the National
- 7 Manufactured Housing Construction and Safety Stand-
- 8 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
- 9 \$12,000,000, to remain available until expended, of which
- 10 \$12,000,000 is to be derived from the Manufactured
- 11 Housing Fees Trust Fund: *Provided*, That not to exceed
- 12 the total amount appropriated under this heading shall be
- 13 available from the general fund of the Treasury to the ex-
- 14 tent necessary to incur obligations and make expenditures
- 15 pending the receipt of collections to the Fund pursuant
- 16 to section 620 of such Act: Provided further, That the
- 17 amount made available under this heading from the gen-
- 18 eral fund shall be reduced as such collections are received
- 19 during fiscal year 2019 so as to result in a final fiscal
- 20 year 2019 appropriation from the general fund estimated
- 21 at zero, and fees pursuant to such section 620 shall be
- 22 modified as necessary to ensure such a final fiscal year
- 23 2019 appropriation: Provided further, That for the dispute
- 24 resolution and installation programs, the Secretary of
- 25 Housing and Urban Development may assess and collect



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	tees	from	anv	program	participant:	Provided	turther.	That

- 2 such collections shall be deposited into the Fund, and the
- 3 Secretary, as provided herein, may use such collections,
- 4 as well as fees collected under section 620, for necessary
- 5 expenses of such Act: Provided further, That, notwith-
- 6 standing the requirements of section 620 of such Act, the
- 7 Secretary may carry out responsibilities of the Secretary
- 8 under such Act through the use of approved service pro-
- 9 viders that are paid directly by the recipients of their serv-
- 10 ices.

11 Federal Housing Administration

- 12 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT
- New commitments to guarantee single family loans
- 14 insured under the Mutual Mortgage Insurance Fund shall
- 15 not exceed \$400,000,000,000, to remain available until
- 16 September 30, 2020: Provided, That during fiscal year
- 17 2019, obligations to make direct loans to carry out the
- 18 purposes of section 204(g) of the National Housing Act,
- 19 as amended, shall not exceed \$1,000,000: Provided fur-
- 20 ther, That the foregoing amount in the previous proviso
- 21 shall be for loans to nonprofit and governmental entities
- 22 in connection with sales of single family real properties
- 23 owned by the Secretary and formerly insured under the
- 24 Mutual Mortgage Insurance Fund: Provided further, That
- 25 for administrative contract expenses of the Federal Hous-



- 1 ing Administration, \$130,000,000, to remain available
- 2 until September 30, 2020: Provided further, That to the
- 3 extent guaranteed loan commitments exceed
- 4 \$200,000,000,000 on or before April 1, 2019, an addi-
- 5 tional \$1,400 for administrative contract expenses shall be
- 6 available for each \$1,000,000 in additional guaranteed
- 7 loan commitments (including a pro rata amount for any
- 8 amount below \$1,000,000), but in no case shall funds
- 9 made available by this proviso exceed \$30,000,000: Pro-
- 10 vided further, That notwithstanding the limitation in the
- 11 first sentence of section 255(g) of the National Housing
- 12 Act (12 U.S.C. 1715z–20(g)), during fiscal year 2019 the
- 13 Secretary may insure and enter into new commitments to
- 14 insure mortgages under section 255 of the National Hous-
- 15 ing Act only to the extent that the net credit subsidy cost
- 16 for such insurance does not exceed zero: Provided further,
- 17 That for fiscal year 2019, the Secretary shall not take any
- 18 action against a lender solely on the basis of compare ra-
- 19 tios that have been adversely affected by defaults on mort-
- 20 gages secured by properties in areas where a major dis-
- 21 aster was declared in 2017 or 2018 pursuant to the Rob-
- 22 ert T. Stafford Disaster Relief and Emergency Assistance
- 23 Act (42 U.S.C. 5121 et seq.).



1	GENERAL AND SPECIAL RISK PROGRAM ACCOUNT								
2	New commitments to guarantee loans insured under								
3	the General and Special Risk Insurance Funds, as author-								
4	ized by sections 238 and 519 of the National Housing Act								
5	(12 U.S.C. 1715z–3 and 1735c), shall not exceed								
6	\$30,000,000,000 in total loan principal, any part of which								
7	is to be guaranteed, to remain available until September								
8	30, 2020: Provided, That during fiscal year 2019, gross								
9	obligations for the principal amount of direct loans, as au-								
10	thorized by sections 204(g), 207(l), 238, and 519(a) of								
11	the National Housing Act, shall not exceed \$1,000,000,								
12	which shall be for loans to nonprofit and governmental en-								
13	tities in connection with the sale of single family real prop-								
14	erties owned by the Secretary and formerly insured under								
15	such Act.								
16	GOVERNMENT NATIONAL MORTGAGE ASSOCIATION								
17	GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN								
18	GUARANTEE PROGRAM ACCOUNT								
19	New commitments to issue guarantees to carry out								
20	the purposes of section 306 of the National Housing Act,								
21	as amended (12 U.S.C. 1721(g)), shall not exceed								
22	\$550,000,000,000, to remain available until September								
23	30, 2020: Provided, That \$27,000,000, to remain avail-								
24	able until September 30, 2020, shall be for necessary sala-								
25	ries and expenses of the Office of Government National								



1	Mortgage .	Association	Provideo	l further,	That to	the extent
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- 2 that guaranteed loan commitments exceed
- 3 \$155,000,000,000 on or before April 1, 2019, an addi-
- 4 tional \$100 for necessary salaries and expenses shall be
- 5 available until expended for each \$1,000,000 in additional
- 6 guaranteed loan commitments (including a pro rata
- 7 amount for any amount below \$1,000,000), but in no case
- 8 shall funds made available by this proviso exceed
- 9 \$3,000,000: Provided further, That receipts from Commit-
- 10 ment and Multiclass fees collected pursuant to title III of
- 11 the National Housing Act, as amended, shall be credited
- 12 as offsetting collections to this account.
- 13 POLICY DEVELOPMENT AND RESEARCH
- 14 RESEARCH AND TECHNOLOGY
- For contracts, grants, and necessary expenses of pro-
- 16 grams of research and studies relating to housing and
- 17 urban problems, not otherwise provided for, as authorized
- 18 by title V of the Housing and Urban Development Act
- 19 of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying
- 20 out the functions of the Secretary of Housing and Urban
- 21 Development under section 1(a)(1)(i) of Reorganization
- 22 Plan No. 2 of 1968, and for technical assistance,
- 23 \$96,000,000, to remain available until September 30,
- 24 2020: Provided, That with respect to amounts made avail-
- 25 able under this heading, notwithstanding section 203 of



1	this title, the Secretary may enter into cooperative agree-
2	ments funded with philanthropic entities, other Federal
3	agencies, State or local governments and their agencies,
4	or colleges or universities for research projects: $Provided$
5	further, That with respect to the previous proviso, such
6	partners to the cooperative agreements must contribute at
7	least a 50 percent match toward the cost of the project:
8	Provided further, That for non-competitive agreements en-
9	tered into in accordance with the previous two provisos,
10	the Secretary of Housing and Urban Development shall
11	comply with section 2(b) of the Federal Funding Account-
12	ability and Transparency Act of 2006 (Public Law 109–
13	282, 31 U.S.C. note) in lieu of compliance with section
14	102(a)(4)(C) with respect to documentation of award deci-
15	sions: Provided further, That prior to obligation of tech-
16	nical assistance funding, the Secretary shall submit a
17	plan, for approval, to the House and Senate Committees
18	on Appropriations on how it will allocate funding for this
19	activity: Provided further, That none of the funds provided
20	under this heading may be available for the doctoral dis-
21	sertation research grant program.
22	FAIR HOUSING AND EQUAL OPPORTUNITY
23	FAIR HOUSING ACTIVITIES
24	For contracts, grants, and other assistance, not oth-
25	erwise provided for, as authorized by title VIII of the Civil

1	Rights Act of 1968, as amended by the Fair Housing
2	Amendments Act of 1988, and section 561 of the Housing
3	and Community Development Act of 1987, as amended,
4	\$65,300,000, to remain available until September 30,
5	2020: Provided, That notwithstanding 31 U.S.C. 3302,
6	the Secretary may assess and collect fees to cover the costs
7	of the Fair Housing Training Academy, and may use such
8	funds to develop on-line courses and provide such training
9	Provided further, That no funds made available under this
10	heading shall be used to lobby the executive or legislative
11	branches of the Federal Government in connection with
12	a specific contract, grant, or loan: Provided further, That
13	of the funds made available under this heading, \$300,000
14	shall be available to the Secretary of Housing and Urban
15	Development for the creation and promotion of translated
16	materials and other programs that support the assistance
17	of persons with limited English proficiency in utilizing the
18	services provided by the Department of Housing and
19	Urban Development.
20	OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
21	Homes
22	LEAD HAZARD REDUCTION
23	For the Lead Hazard Reduction Program, as author-
24	ized by section 1011 of the Residential Lead-Based Paint
25	Hazard Reduction Act of 1992 \$279,000,000 to remain

- 1 available until September 30, 2020, of which \$45,000,000
- 2 shall be for the Healthy Homes Initiative, pursuant to sec-
- 3 tions 501 and 502 of the Housing and Urban Develop-
- 4 ment Act of 1970, which shall include research, studies,
- 5 testing, and demonstration efforts, including education
- 6 and outreach concerning lead-based paint poisoning and
- 7 other housing-related diseases and hazards: Provided,
- 8 That for purposes of environmental review, pursuant to
- 9 the National Environmental Policy Act of 1969 (42 U.S.C.
- 10 4321 et seq.) and other provisions of law that further the
- 11 purposes of such Act, a grant under the Healthy Homes
- 12 Initiative, or the Lead Technical Studies program under
- 13 this heading or under prior appropriations Acts for such
- 14 purposes under this heading, shall be considered to be
- 15 funds for a special project for purposes of section 305(c)
- 16 of the Multifamily Housing Property Disposition Reform
- 17 Act of 1994: Provided further, That not less than
- 18 \$95,000,000 of the amounts made available under this
- 19 heading for the award of grants pursuant to section 1011
- 20 of the Residential Lead-Based Paint Hazard Reduction
- 21 Act of 1992 shall be provided to areas with the highest
- 22 lead-based paint abatement needs: Provided further, That
- 23 \$64,000,000 of the funds appropriated under this heading
- 24 shall be for the implementation of projects to demonstrate
- 25 how intensive, extended multi-year interventions can dra-



1	matically reduce the presence of lead-based paint hazards
2	in communities containing high concentrations of both
3	pre-1940 housing and low-income families by achieving
4	economies of scale that substantially reduce the cost of
5	lead-based paint remediation activities and administrative
6	costs for grantees: Provided further, That such projects
7	in each of seven communities shall be for five years and
8	serve no more than four contiguous census tracts in which
9	there are high concentrations of housing stock built before
10	1940, in which low-income families with children make up
11	a significantly higher proportion of the population as com-
12	pared to the State average, and that are located in juris-
13	dictions in which instances of elevated blood lead levels
14	reported to the State are significantly higher than the
15	State average: Provided further, That funding awarded for
16	such projects shall be made available for draw down con-
17	tingent upon the grantee meeting cost-savings, produc-
18	tivity, and grant compliance benchmarks established by
19	the Secretary: Provided further, That each recipient of
20	funds for such projects shall contribute an amount not less
21	than 10 percent of the total award, and that the Secretary
22	shall give priority to applicants that secure commitments
23	for additional contributions from public and private
24	sources: Provided further, That grantees currently receive
25	ing grants made under this heading shall be eligible to



- 1 apply for such projects, provided that they are deemed to
- 2 be in compliance with program requirements established
- 3 by the Secretary: Provided further, That each applicant
- 4 shall certify adequate capacity that is acceptable to the
- 5 Secretary to carry out the proposed use of funds pursuant
- 6 to a notice of funding availability: Provided further, That
- 7 amounts made available under this heading in this or prior
- 8 appropriations Acts, still remaining available, may be used
- 9 for any purpose under this heading notwithstanding the
- 10 purpose for which such amounts were appropriated if a
- 11 program competition is undersubscribed and there are
- 12 other program competitions under this heading that are
- 13 oversubscribed.
- 14 Information Technology Fund
- 15 For the development, modernization, and enhance-
- 16 ment of, modifications to, and infrastructure for Depart-
- 17 ment-wide and program-specific information technology
- 18 systems, for the continuing operation and maintenance of
- 19 both Department-wide and program-specific information
- 20 systems, and for program-related maintenance activities,
- 21 \$280,000,000, of which \$260,000,000 shall remain avail-
- 22 able until September 30, 2020, and of which \$20,000,000
- 23 shall remain available until September 30, 2021: Provided,
- 24 That any amounts transferred to this Fund under this Act
- 25 shall remain available until expended: Provided further,



- 1 That any amounts transferred to this Fund from amounts
- 2 appropriated by previously enacted appropriations Acts
- 3 may be used for the purposes specified under this Fund,
- 4 in addition to any other information technology purposes
- 5 for which such amounts were appropriated: Provided fur-
- 6 ther, That not more than 10 percent of the funds made
- 7 available under this heading for development, moderniza-
- 8 tion and enhancement may be obligated until the Sec-
- 9 retary submits to the House and Senate Committees on
- 10 Appropriations, for approval, a plan for expenditure
- 11 that—(A) identifies for each modernization project: (i) the
- 12 functional and performance capabilities to be delivered
- 13 and the mission benefits to be realized, (ii) the estimated
- 14 life-cycle cost, and (iii) key milestones to be met; and (B)
- 15 demonstrates that each modernization project is: (i) com-
- 16 pliant with the Department's enterprise architecture, (ii)
- 17 being managed in accordance with applicable life-cycle
- 18 management policies and guidance, (iii) subject to the De-
- 19 partment's capital planning and investment control re-
- 20 quirements, and (iv) supported by an adequately staffed
- 21 project office.
- 22 Office of Inspector General
- For necessary salaries and expenses of the Office of
- 24 Inspector General in carrying out the Inspector General
- 25 Act of 1978, as amended, \$128,082,000: Provided, That



1	the Inspector General shall have independent authority
2	over all personnel issues within this office.
3	GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
4	URBAN DEVELOPMENT
5	(INCLUDING TRANSFER OF FUNDS)
6	(INCLUDING RESCISSIONS)
7	Sec. 201. Fifty percent of the amounts of budget au-
8	thority, or in lieu thereof 50 percent of the cash amounts
9	associated with such budget authority, that are recaptured
10	from projects described in section 1012(a) of the Stewart
11	B. McKinney Homeless Assistance Amendments Act of
12	1988 (42 U.S.C. 1437f note) shall be rescinded or in the
13	case of cash, shall be remitted to the Treasury, and such
14	amounts of budget authority or cash recaptured and not
15	rescinded or remitted to the Treasury shall be used by
16	State housing finance agencies or local governments or
17	local housing agencies with projects approved by the Sec-
18	retary of Housing and Urban Development for which set-
19	tlement occurred after January 1, 1992, in accordance
20	with such section. Notwithstanding the previous sentence,
21	the Secretary may award up to 15 percent of the budget
22	authority or cash recaptured and not rescinded or remitted
23	to the Treasury to provide project owners with incentives
24	to refinance their project at a lower interest rate.



- 1 Sec. 202. None of the amounts made available under
- 2 this Act may be used during fiscal year 2019 to investigate
- 3 or prosecute under the Fair Housing Act any otherwise
- 4 lawful activity engaged in by one or more persons, includ-
- 5 ing the filing or maintaining of a nonfrivolous legal action,
- 6 that is engaged in solely for the purpose of achieving or
- 7 preventing action by a Government official or entity, or
- 8 a court of competent jurisdiction.
- 9 Sec. 203. Except as explicitly provided in law, any
- 10 grant, cooperative agreement or other assistance made
- 11 pursuant to title II of this Act shall be made on a competi-
- 12 tive basis and in accordance with section 102 of the De-
- 13 partment of Housing and Urban Development Reform Act
- 14 of 1989 (42 U.S.C. 3545).
- 15 Sec. 204. Funds of the Department of Housing and
- 16 Urban Development subject to the Government Corpora-
- 17 tion Control Act or section 402 of the Housing Act of
- 18 1950 shall be available, without regard to the limitations
- 19 on administrative expenses, for legal services on a contract
- 20 or fee basis, and for utilizing and making payment for
- 21 services and facilities of the Federal National Mortgage
- 22 Association, Government National Mortgage Association,
- 23 Federal Home Loan Mortgage Corporation, Federal Fi-
- 24 nancing Bank, Federal Reserve banks or any member
- 25 thereof, Federal Home Loan banks, and any insured bank



- 1 within the meaning of the Federal Deposit Insurance Cor-
- 2 poration Act, as amended (12 U.S.C. 1811–1).
- 3 Sec. 205. Unless otherwise provided for in this Act
- 4 or through a reprogramming of funds, no part of any ap-
- 5 propriation for the Department of Housing and Urban
- 6 Development shall be available for any program, project
- 7 or activity in excess of amounts set forth in the budget
- 8 estimates submitted to Congress.
- 9 Sec. 206. Corporations and agencies of the Depart-
- 10 ment of Housing and Urban Development which are sub-
- 11 ject to the Government Corporation Control Act are here-
- 12 by authorized to make such expenditures, within the limits
- 13 of funds and borrowing authority available to each such
- 14 corporation or agency and in accordance with law, and to
- 15 make such contracts and commitments without regard to
- 16 fiscal year limitations as provided by section 104 of such
- 17 Act as may be necessary in carrying out the programs set
- 18 forth in the budget for 2019 for such corporation or agen-
- 19 cy except as hereinafter provided: Provided, That collec-
- 20 tions of these corporations and agencies may be used for
- 21 new loan or mortgage purchase commitments only to the
- 22 extent expressly provided for in this Act (unless such loans
- 23 are in support of other forms of assistance provided for
- 24 in this or prior appropriations Acts), except that this pro-
- 25 viso shall not apply to the mortgage insurance or guaranty



- 1 operations of these corporations, or where loans or mort-
- 2 gage purchases are necessary to protect the financial in-
- 3 terest of the United States Government.
- 4 Sec. 207. The Secretary of Housing and Urban De-
- 5 velopment shall provide quarterly reports to the House
- 6 and Senate Committees on Appropriations regarding all
- 7 uncommitted, unobligated, recaptured and excess funds in
- 8 each program and activity within the jurisdiction of the
- 9 Department and shall submit additional, updated budget
- 10 information to these Committees upon request.
- 11 Sec. 208. The President's formal budget request for
- 12 fiscal year 2020, as well as the Department of Housing
- 13 and Urban Development's congressional budget justifica-
- 14 tions to be submitted to the Committees on Appropriations
- 15 of the House of Representatives and the Senate, shall use
- 16 the identical account and sub-account structure provided
- 17 under this Act.
- 18 Sec. 209. No funds provided under this title may be
- 19 used for an audit of the Government National Mortgage
- 20 Association that makes applicable requirements under the
- 21 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).
- Sec. 210. (a) Notwithstanding any other provision
- 23 of law, subject to the conditions listed under this section,
- 24 for fiscal years 2019 and 2020, the Secretary of Housing
- 25 and Urban Development may authorize the transfer of



1	some or all project-based assistance, debt held or insured
2	by the Secretary and statutorily required low-income and
3	very low-income use restrictions if any, associated with one
4	or more multifamily housing project or projects to another
5	multifamily housing project or projects.
6	(b) Phased Transfers.—Transfers of project-
7	based assistance under this section may be done in phases
8	to accommodate the financing and other requirements re-
9	lated to rehabilitating or constructing the project or
10	projects to which the assistance is transferred, to ensure
11	that such project or projects meet the standards under
12	subsection (c).
13	(c) The transfer authorized in subsection (a) is sub-
14	ject to the following conditions:
15	(1) Number and bedroom size of units.—
16	(A) For occupied units in the transferring
17	project: The number of low-income and very
18	low-income units and the configuration (i.e.,
19	bedroom size) provided by the transferring
20	project shall be no less than when transferred
21	to the receiving project or projects and the net
22	dollar amount of Federal assistance provided to
23	the transferring project shall remain the same
24	in the receiving project or projects.

1	(B) For unoccupied units in the transfer-
2	ring project: The Secretary may authorize a re-
3	duction in the number of dwelling units in the
4	receiving project or projects to allow for a re-
5	configuration of bedroom sizes to meet current
6	market demands, as determined by the Sec-
7	retary and provided there is no increase in the
8	project-based assistance budget authority.
9	(2) The transferring project shall, as deter-
10	mined by the Secretary, be either physically obsolete
11	or economically nonviable.
12	(3) The receiving project or projects shall meet
13	or exceed applicable physical standards established
14	by the Secretary.
15	(4) The owner or mortgagor of the transferring
16	project shall notify and consult with the tenants re-
17	siding in the transferring project and provide a cer-
18	tification of approval by all appropriate local govern-
19	mental officials.
20	(5) The tenants of the transferring project who
21	remain eligible for assistance to be provided by the
22	receiving project or projects shall not be required to
23	vacate their units in the transferring project or
24	projects until new units in the receiving project are



available for occupancy.

- (6) The Secretary determines that this transfer is in the best interest of the tenants.
 - (7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.
 - (8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.
 - (9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations



1	are provided in advance for the amount of any such
2	increased cost.
3	(d) For purposes of this section—
4	(1) the terms "low-income" and "very low-in
5	come" shall have the meanings provided by the stat
6	ute and/or regulations governing the program under
7	which the project is insured or assisted;
8	(2) the term "multifamily housing project"
9	means housing that meets one of the following con
10	ditions—
11	(A) housing that is subject to a mortgage
12	insured under the National Housing Act;
13	(B) housing that has project-based assist
14	ance attached to the structure including
15	projects undergoing mark to market debt re
16	structuring under the Multifamily Assisted
17	Housing Reform and Affordability Housing Act
18	(C) housing that is assisted under section
19	202 of the Housing Act of 1959, as amended
20	by section 801 of the Cranston-Gonzales Na
21	tional Affordable Housing Act;
22	(D) housing that is assisted under section
23	202 of the Housing Act of 1959, as such sec
24	tion existed before the enactment of the Cran
25	ston-Gonzales National Affordable Housing Act



1	(E) housing that is assisted under section
2	811 of the Cranston-Gonzales National Afford-
3	able Housing Act; or
4	(F) housing or vacant land that is subject
5	to a use agreement;
6	(3) the term "project-based assistance"
7	means—
8	(A) assistance provided under section 8(b)
9	of the United States Housing Act of 1937;
10	(B) assistance for housing constructed or
11	substantially rehabilitated pursuant to assist-
12	ance provided under section 8(b)(2) of such Act
13	(as such section existed immediately before Oc-
14	tober 1, 1983);
15	(C) rent supplement payments under sec-
16	tion 101 of the Housing and Urban Develop-
17	ment Act of 1965;
18	(D) interest reduction payments under sec-
19	tion 236 and/or additional assistance payments
20	under section 236(f)(2) of the National Hous-
21	ing Act;
22	(E) assistance payments made under sec-
23	tion $202(c)(2)$ of the Housing Act of 1959; and



1	(F) assistance payments made under sec-
2	tion 811(d)(2) of the Cranston-Gonzalez Na-
3	tional Affordable Housing Act;
4	(4) the term "receiving project or projects"
5	means the multifamily housing project or projects to
6	which some or all of the project-based assistance,
7	debt, and statutorily required low-income and very
8	low-income use restrictions are to be transferred;
9	(5) the term "transferring project" means the
10	multifamily housing project which is transferring
11	some or all of the project-based assistance, debt, and
12	the statutorily required low-income and very low-in-
13	come use restrictions to the receiving project or
14	projects; and
15	(6) the term "Secretary" means the Secretary
16	of Housing and Urban Development.
17	(e) Research Report.—The Secretary shall con-
18	duct an evaluation of the transfer authority under this sec-
19	tion, including the effect of such transfers on the oper-
20	ational efficiency, contract rents, physical and financial
21	conditions, and long-term preservation of the affected
22	properties.
23	Sec. 211. (a) No assistance shall be provided under
24	section 8 of the United States Housing Act of 1937 (42
25	U.S.C. 1437f) to any individual who—



1	(1) is enrolled as a student at an institution of
2	higher education (as defined under section 102 of
3	the Higher Education Act of 1965 (20 U.S.C.
4	1002));
5	(2) is under 24 years of age;
6	(3) is not a veteran;
7	(4) is unmarried;
8	(5) does not have a dependent child;
9	(6) is not a person with disabilities, as such
10	term is defined in section 3(b)(3)(E) of the United
11	States Housing Act of 1937 (42 U.S.C.
12	1437a(b)(3)(E)) and was not receiving assistance
13	under such section 8 as of November 30, 2005;
14	(7) is not a youth who left foster care at age
15	14 or older and is at risk of becoming homeless; and
16	(8) is not otherwise individually eligible, or has
17	parents who, individually or jointly, are not eligible,
18	to receive assistance under section 8 of the United
19	States Housing Act of 1937 (42 U.S.C. 1437f).
20	(b) For purposes of determining the eligibility of a
21	person to receive assistance under section 8 of the United
22	States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
23	cial assistance (in excess of amounts received for tuition
24	and any other required fees and charges) that an indi-
25	vidual receives under the Higher Education Act of 1965



- 1 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
- 2 tution of higher education (as defined under the Higher
- 3 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-
- 4 ered income to that individual, except for a person over
- 5 the age of 23 with dependent children.
- 6 Sec. 212. The funds made available for Native Alas-
- 7 kans under the heading "Native American Housing Block
- 8 Grants" in title II of this Act shall be allocated to the
- 9 same Native Alaskan housing block grant recipients that
- 10 received funds in fiscal year 2005.
- 11 Sec. 213. Notwithstanding any other provision of
- 12 law, in fiscal year 2019, in managing and disposing of any
- 13 multifamily property that is owned or has a mortgage held
- 14 by the Secretary of Housing and Urban Development, and
- 15 during the process of foreclosure on any property with a
- 16 contract for rental assistance payments under section 8
- 17 of the United States Housing Act of 1937 or other Fed-
- 18 eral programs, the Secretary shall maintain any rental as-
- 19 sistance payments under section 8 of the United States
- 20 Housing Act of 1937 and other programs that are at-
- 21 tached to any dwelling units in the property. To the extent
- 22 the Secretary determines, in consultation with the tenants
- 23 and the local government, that such a multifamily prop-
- 24 erty owned or held by the Secretary is not feasible for con-
- 25 tinued rental assistance payments under such section 8



- 1 or other programs, based on consideration of (1) the costs
- 2 of rehabilitating and operating the property and all avail-
- 3 able Federal, State, and local resources, including rent ad-
- 4 justments under section 524 of the Multifamily Assisted
- 5 Housing Reform and Affordability Act of 1997
- 6 ("MAHRAA") and (2) environmental conditions that can-
- 7 not be remedied in a cost-effective fashion, the Secretary
- 8 may, in consultation with the tenants of that property,
- 9 contract for project-based rental assistance payments with
- 10 an owner or owners of other existing housing properties,
- 11 or provide other rental assistance. The Secretary shall also
- 12 take appropriate steps to ensure that project-based con-
- 13 tracts remain in effect prior to foreclosure, subject to the
- 14 exercise of contractual abatement remedies to assist relo-
- 15 cation of tenants for imminent major threats to health and
- 16 safety after written notice to and informed consent of the
- 17 affected tenants and use of other available remedies, such
- 18 as partial abatements or receivership. After disposition of
- 19 any multifamily property described under this section, the
- 20 contract and allowable rent levels on such properties shall
- 21 be subject to the requirements under section 524 of
- 22 MAHRAA.
- 23 Sec. 214. The commitment authority funded by fees
- 24 as provided under the heading "Community Development
- 25 Loan Guarantees Program Account" may be used to guar-



- 1 antee, or make commitments to guarantee, notes, or other
- 2 obligations issued by any State on behalf of non-entitle-
- 3 ment communities in the State in accordance with the re-
- 4 quirements of section 108 of the Housing and Community
- 5 Development Act of 1974: Provided, That any State re-
- 6 ceiving such a guarantee or commitment shall distribute
- 7 all funds subject to such guarantee to the units of general
- 8 local government in non-entitlement areas that received
- 9 the commitment.
- 10 Sec. 215. Public housing agencies that own and oper-
- 11 ate 400 or fewer public housing units may elect to be ex-
- 12 empt from any asset management requirement imposed by
- 13 the Secretary of Housing and Urban Development in con-
- 14 nection with the operating fund rule: Provided, That an
- 15 agency seeking a discontinuance of a reduction of subsidy
- 16 under the operating fund formula shall not be exempt
- 17 from asset management requirements.
- 18 Sec. 216. With respect to the use of amounts pro-
- 19 vided in this Act and in future Acts for the operation, cap-
- 20 ital improvement and management of public housing as
- 21 authorized by sections 9(d) and 9(e) of the United States
- 22 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the
- 23 Secretary shall not impose any requirement or guideline
- 24 relating to asset management that restricts or limits in
- 25 any way the use of capital funds for central office costs



- 1 pursuant to section 9(g)(1) or 9(g)(2) of the United States
- 2 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Pro-
- 3 vided, That a public housing agency may not use capital
- 4 funds authorized under section 9(d) for activities that are
- 5 eligible under section 9(e) for assistance with amounts
- 6 from the operating fund in excess of the amounts per-
- 7 mitted under section 9(g)(1) or 9(g)(2).
- 8 Sec. 217. No official or employee of the Department
- 9 of Housing and Urban Development shall be designated
- 10 as an allotment holder unless the Office of the Chief Fi-
- 11 nancial Officer has determined that such allotment holder
- 12 has implemented an adequate system of funds control and
- 13 has received training in funds control procedures and di-
- 14 rectives. The Chief Financial Officer shall ensure that
- 15 there is a trained allotment holder for each HUD appro-
- 16 priation under the accounts "Executive Offices" and "Ad-
- 17 ministrative Support Offices," as well as each account re-
- 18 ceiving appropriations under the general heading "Pro-
- 19 gram Office Salaries and Expenses", "Government Na-
- 20 tional Mortgage Association—Guarantees of Mortgage-
- 21 Backed Securities Loan Guarantee Program Account",
- 22 and "Office of Inspector General" within the Department
- 23 of Housing and Urban Development.
- 24 Sec. 218. The Secretary of the Department of Hous-
- 25 ing and Urban Development shall, for fiscal year 2019,



- 1 notify the public through the Federal Register and other
- 2 means, as determined appropriate, of the issuance of a no-
- 3 tice of the availability of assistance or notice of funding
- 4 availability (NOFA) for any program or discretionary
- 5 fund administered by the Secretary that is to be competi-
- 6 tively awarded. Notwithstanding any other provision of
- 7 law, for fiscal year 2019, the Secretary may make the
- 8 NOFA available only on the Internet at the appropriate
- 9 Government web site or through other electronic media,
- 10 as determined by the Secretary.
- 11 Sec. 219. Payment of attorney fees in program-re-
- 12 lated litigation shall be paid from the individual program
- 13 office and Office of General Counsel salaries and expenses
- 14 appropriations. The annual budget submission for the pro-
- 15 gram offices and the Office of General Counsel shall in-
- 16 clude any such projected litigation costs for attorney fees
- 17 as a separate line item request. No funds provided in this
- 18 title may be used to pay any such litigation costs for attor-
- 19 ney fees until the Department submits for review a spend-
- 20 ing plan for such costs to the House and Senate Commit-
- 21 tees on Appropriations.
- Sec. 220. The Secretary is authorized to transfer up
- 23 to 10 percent or \$5,000,000, whichever is less, of funds
- 24 appropriated for any office under the heading "Adminis-
- 25 trative Support Offices" or for any account under the gen-



1	eral	heading	"Program	Office	Salaries	and	Expenses"	to

- 2 any other such office or account: Provided, That no appro-
- 3 priation for any such office or account shall be increased
- 4 or decreased by more than 10 percent or \$5,000,000,
- 5 whichever is less, without prior written approval of the
- 6 House and Senate Committees on Appropriations: Pro-
- 7 vided further, That the Secretary shall provide notification
- 8 to such Committees three business days in advance of any
- 9 such transfers under this section up to 10 percent or
- 10 \$5,000,000, whichever is less.
- 11 Sec. 221. (a) Any entity receiving housing assistance
- 12 payments shall maintain decent, safe, and sanitary condi-
- 13 tions, as determined by the Secretary of Housing and
- 14 Urban Development (in this section referred to as the
- 15 "Secretary"), and comply with any standards under appli-
- 16 cable State or local laws, rules, ordinances, or regulations
- 17 relating to the physical condition of any property covered
- 18 under a housing assistance payment contract.
- 19 (b) The Secretary shall take action under subsection
- 20 (c) when a multifamily housing project with a section 8
- 21 contract or contract for similar project-based assistance—
- 22 (1) receives a Uniform Physical Condition
- 23 Standards (UPCS) score of 60 or less; or
- 24 (2) fails to certify in writing to the Secretary
- within 3 days that all Exigent Health and Safety de-



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- 2 have been corrected.
- 3 Such requirements shall apply to insured and noninsured
- 4 projects with assistance attached to the units under sec-
- 5 tion 8 of the United States Housing Act of 1937 (42
- 6 U.S.C. 1437f), but do not apply to such units assisted
- 7 under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to
- 8 public housing units assisted with capital or operating
- 9 funds under section 9 of the United States Housing Act
- 10 of 1937 (42 U.S.C. 1437g).
- 11 (c)(1) Within 15 days of the issuance of the REAC
- 12 inspection, the Secretary must provide the owner with a
- 13 Notice of Default with a specified timetable, determined
- 14 by the Secretary, for correcting all deficiencies. The Sec-
- 15 retary must also provide a copy of the Notice of Default
- 16 to the tenants, the local government, any mortgagees, and
- 17 any contract administrator. If the owner's appeal results
- 18 in a UPCS score of 60 or above, the Secretary may with-
- 19 draw the Notice of Default.
- 20 (2) At the end of the time period for correcting all
- 21 deficiencies specified in the Notice of Default, if the owner
- 22 fails to fully correct such deficiencies, the Secretary may—
- 23 (A) require immediate replacement of project
- 24 management with a management agent approved by
- 25 the Secretary;



1	(B) impose civil money penalties, which shall be
2	used solely for the purpose of supporting safe and
3	sanitary conditions at applicable properties, as des-
4	ignated by the Secretary, with priority given to the
5	tenants of the property affected by the penalty;
6	(C) abate the section 8 contract, including par-
7	tial abatement, as determined by the Secretary, until
8	all deficiencies have been corrected;
9	(D) pursue transfer of the project to an owner,
10	approved by the Secretary under established proce-
11	dures, which will be obligated to promptly make all
12	required repairs and to accept renewal of the assist-
13	ance contract as long as such renewal is offered;
14	(E) transfer the existing section 8 contract to
15	another project or projects and owner or owners;
16	(F) pursue exclusionary sanctions, including
17	suspensions or debarments from Federal programs;
18	(G) seek judicial appointment of a receiver to
19	manage the property and cure all project deficiencies
20	or seek a judicial order of specific performance re-
21	quiring the owner to cure all project deficiencies;
22	(H) work with the owner, lender, or other re-
23	lated party to stabilize the property in an attempt
24	to preserve the property through compliance, trans-



1	fer of ownership, or an infusion of capital provided
2	by a third-party that requires time to effectuate; or
3	(I) take any other regulatory or contractual
4	remedies available as deemed necessary and appro-
5	priate by the Secretary.
6	(d) The Secretary shall also take appropriate steps
7	to ensure that project-based contracts remain in effect
8	subject to the exercise of contractual abatement remedies
9	to assist relocation of tenants for major threats to health
10	and safety after written notice to the affected tenants. To
11	the extent the Secretary determines, in consultation with
12	the tenants and the local government, that the property
13	is not feasible for continued rental assistance payments
14	under such section 8 or other programs, based on consid-
15	eration of—
16	(1) the costs of rehabilitating and operating the
17	property and all available Federal, State, and local
18	resources, including rent adjustments under section
19	524 of the Multifamily Assisted Housing Reform
20	and Affordability Act of 1997 ("MAHRAA"); and
21	(2) environmental conditions that cannot be
22	remedied in a cost-effective fashion, the Secretary
23	may contract for project-based rental assistance pay-
24	ments with an aumor or aumors of other existing

1	housing properties, or provide other rental assist-
2	ance.
3	(e) The Secretary shall report quarterly on all prop-
4	erties covered by this section that are assessed through
5	the Real Estate Assessment Center and have UPCS phys-
6	ical inspection scores of less than 60 or have received an
7	unsatisfactory management and occupancy review within
8	the past 36 months. The report shall include—
9	(1) the enforcement actions being taken to ad-
10	dress such conditions, including imposition of civil
11	money penalties and termination of subsidies, and
12	identify properties that have such conditions mul-
13	tiple times;
14	(2) actions that the Department of Housing
15	and Urban Development is taking to protect tenants
16	of such identified properties; and
17	(3) any administrative or legislative rec-
18	ommendations to further improve the living condi-
19	tions at properties covered under a housing assist-
20	ance payment contract.
21	This report shall be due to the Senate and House Commit-
22	tees on Appropriations no later than 30 days after the
23	enactment of this Act, and on the first business day of
24	each Federal fiscal year quarter thereafter while this sec-
25	tion remains in effect.



- 1 Sec. 222. None of the funds made available by this
- 2 Act, or any other Act, for purposes authorized under sec-
- 3 tion 8 (only with respect to the tenant-based rental assist-
- 4 ance program) and section 9 of the United States Housing
- 5 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
- 6 any public housing agency for any amount of salary, in-
- 7 cluding bonuses, for the chief executive officer of which,
- 8 or any other official or employee of which, that exceeds
- 9 the annual rate of basic pay payable for a position at level
- 10 IV of the Executive Schedule at any time during any pub-
- 11 lic housing agency fiscal year 2019.
- 12 Sec. 223. None of the funds in this Act provided to
- 13 the Department of Housing and Urban Development may
- 14 be used to make a grant award unless the Secretary noti-
- 15 fies the House and Senate Committees on Appropriations
- 16 not less than 3 full business days before any project,
- 17 State, locality, housing authority, tribe, nonprofit organi-
- 18 zation, or other entity selected to receive a grant award
- 19 is announced by the Department or its offices.
- 20 Sec. 224. None of the funds made available by this
- 21 Act may be used to require or enforce the Physical Needs
- 22 Assessment (PNA).
- Sec. 225. None of the funds made available in this
- 24 Act shall be used by the Federal Housing Administration,
- 25 the Government National Mortgage Administration, or the



- 1 Department of Housing and Urban Development to in-
- 2 sure, securitize, or establish a Federal guarantee of any
- 3 mortgage or mortgage backed security that refinances or
- 4 otherwise replaces a mortgage that has been subject to
- 5 eminent domain condemnation or seizure, by a State, mu-
- 6 nicipality, or any other political subdivision of a State.
- 7 Sec. 226. None of the funds made available by this
- 8 Act may be used to terminate the status of a unit of gen-
- 9 eral local government as a metropolitan city (as defined
- 10 in section 102 of the Housing and Community Develop-
- 11 ment Act of 1974 (42 U.S.C. 5302)) with respect to
- 12 grants under section 106 of such Act (42 U.S.C. 5306).
- 13 Sec. 227. Amounts made available under this Act
- 14 which are either appropriated, allocated, advanced on a
- 15 reimbursable basis, or transferred to the Office of Policy
- 16 Development and Research in the Department of Housing
- 17 and Urban Development and functions thereof, for re-
- 18 search, evaluation, or statistical purposes, and which are
- 19 unexpended at the time of completion of a contract, grant,
- 20 or cooperative agreement, may be deobligated and shall
- 21 immediately become available and may be reobligated in
- 22 that fiscal year or the subsequent fiscal year for the re-
- 23 search, evaluation, or statistical purposes for which the
- 24 amounts are made available to that Office subject to re-
- 25 programming requirements in section 405 of this Act.



- 1 Sec. 228. None of the funds provided in this Act or
- 2 any other act may be used for awards, including perform-
- 3 ance, special act, or spot, for any employee of the Depart-
- 4 ment of Housing and Urban Development subject to ad-
- 5 ministrative discipline (including suspension from work),
- 6 in this or the prior fiscal year, but this prohibition shall
- 7 not be effective prior to the effective date of any such ad-
- 8 ministrative discipline or after any final decision over-
- 9 turning such discipline.
- 10 Sec. 229. Funds made available in this title under
- 11 the heading "Homeless Assistance Grants" may be used
- 12 by the Secretary to participate in Performance Partner-
- 13 ship Pilots authorized under section 526 of division H of
- 14 Public Law 113-76, section 524 of division G of Public
- 15 Law 113–235, section 525 of division H of Public Law
- 16 114-113, and such authorities as are enacted for Perform-
- 17 ance Partnership Pilots in an appropriations Act for fiscal
- 18 year 2019: Provided, That such participation shall be lim-
- 19 ited to no more than 10 continuums of care and housing
- 20 activities to improve outcomes for disconnected youth.
- 21 Sec. 230. With respect to grant amounts awarded
- 22 under the heading "Homeless Assistance Grants" for fis-
- 23 cal years 2015, 2016, 2017, 2018 and 2019 for the con-
- 24 tinuum of care (CoC) program as authorized under sub-
- 25 title C of title IV of the McKinney-Vento Homeless Assist-



- 1 ance Act, costs paid by program income of grant recipients
- 2 may count toward meeting the recipient's matching re-
- 3 quirements, provided the costs are eligible CoC costs that
- 4 supplement the recipient's CoC program.
- 5 Sec. 231. (a) From amounts made available under
- 6 this title under the heading "Homeless Assistance
- 7 Grants", the Secretary may award 1-year transition
- 8 grants to recipients of funds for activities under subtitle
- 9 C of the McKinney-Vento Homeless Assistance Act (42
- 10 U.S.C. 11381 et seq.) to transition from one Continuum
- 11 of Care program component to another.
- 12 (b) No more than 50 percent of each transition grant
- 13 may be used for costs of eligible activities of the program
- 14 component originally funded.
- 15 (c) Transition grants made under this section are eli-
- 16 gible for renewal in subsequent fiscal years for the eligible
- 17 activities of the new program component.
- 18 (d) In order to be eligible to receive a transition
- 19 grant, the funding recipient must have the consent of the
- 20 Continuum of Care and meet standards determined by the
- 21 Secretary.
- Sec. 232. None of the funds made available by this
- 23 Act may be used by the Department of Housing and
- 24 Urban Development to direct a grantee to undertake spe-
- 25 cific changes to existing zoning laws as part of carrying



- 1 out the final rule entitled "Affirmatively Furthering Fair
- 2 Housing" (80 Fed. Reg. 42272 (July 16, 2015)) or the
- 3 notice entitled "Affirmatively Furthering Fair Housing
- 4 Assessment Tool" (79 Fed. Reg. 57949 (September 26,
- 5 2014)).
- 6 Sec. 233. Section 218(g) of the Cranston-Gonzalez
- 7 National Affordable Housing Act (42 U.S.C. 12748(g))
- 8 shall not apply with respect to the right of a jurisdiction
- 9 to draw funds from its HOME Investment Trust Fund
- 10 that otherwise expired or would expire in 2016, 2017,
- 11 2018, 2019, 2020, or 2021 under that section. Section
- 12 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply
- 13 to any uninvested funds that otherwise were deducted or
- 14 would be deducted from the line of credit in the partici-
- 15 pating jurisdiction's HOME Investment Trust Fund in
- 16 2018, 2019, 2020, or 2021 under that section.
- 17 Sec. 234. Amounts made available in title II of divi-
- 18 sion K of the Consolidated Appropriations Resolution,
- 19 2003 (Public Law 108-7) under the heading "Indian
- 20 Housing Loan Guarantee Fund Program Account" for
- 21 necessary expenses of the Land Title Report Commission
- 22 are rescinded.
- 23 Sec. 235. (a) Authority.—The Secretary of Hous-
- 24 ing and Urban Development (in this section referred to
- 25 as the "Secretary") may carry out a mobility demonstra-



1	tion program to enable public housing agencies to admin
2	ister housing choice voucher assistance under section 8(o
3	of the United States Housing Act of 1937 (42 U.S.C
4	1437f(o)) in a manner designed to encourage families re
5	ceiving such voucher assistance to move to lower-poverty
6	areas and expand access to opportunity areas.
7	(b) Selection of PHAs.—
8	(1) REQUIREMENTS.—The Secretary shall es
9	tablish requirements for public housing agencies to
10	participate in the demonstration program under this
11	section, which shall provide that the following public
12	housing agencies may participate:
13	(A) Public housing agencies that to
14	gether—
15	(i) serve areas with high concentra
16	tions of holders of rental assistance vouch
17	ers under section 8(o) of the United States
18	Housing Act of 1937 (42 U.S.C. 1437f(o)
19	in poor, low-opportunity neighborhoods
20	and
21	(ii) have an adequate number of mod
22	erately priced rental units in higher-oppor
23	tunity areas.
24	(B) Planned consortia or partial consortia
25	of public housing agencies that—



1	(i) include at least one agency with a
2	high-performing Family Self-Sufficiency
3	(FSS) program; and
4	(ii) will enable participating families
5	to continue in such program if they relo-
6	cate to the jurisdiction served by any other
7	agency of the consortium.
8	(C) Planned consortia or partial consortia
9	of public housing agencies that—
10	(i) serve jurisdictions within a single
11	region;
12	(ii) include one or more small agen-
13	cies; and
14	(iii) will consolidate mobility focused
15	operations.
16	(D) Such other public housing agencies as
17	the Secretary considers appropriate.
18	(2) Selection Criteria.—The Secretary shall
19	establish competitive selection criteria for public
20	housing agencies eligible under paragraph (1) to
21	participate in the demonstration program under this
22	section.
23	(3) RANDOM SELECTION OF FAMILIES.—The
24	Secretary may require participating agencies to use
25	a randomized selection process to select among the



1	families eligible to receive mobility assistance under
2	the demonstration program.
3	(c) REGIONAL HOUSING MOBILITY PLAN.—The Sec-
4	retary shall require each public housing agency applying
5	to participate in the demonstration program under this
6	section to submit a Regional Housing Mobility Plan (in
7	this section referred to as a "Plan"), which shall—
8	(1) identify the public housing agencies that
9	will participate under the Plan and the number of
10	vouchers each participating agency will make avail-
11	able out of their existing programs in connection
12	with the demonstration;
13	(2) identify any community-based organizations,
14	nonprofit organizations, businesses, and other enti-
15	ties that will participate under the Plan and describe
16	the commitments for such participation made by
17	each such entity;
18	(3) identify any waivers or alternative require-
19	ments under subparagraph (e) requested for the exe-
20	cution of the Plan;
21	(4) identify any specific actions that the public
22	housing agencies and other entities will undertake to
23	accomplish the goals of the demonstration, which
24	shall include a comprehensive approach to enable a
25	successful transition to opportunity areas and may

1	include counseling and continued support for fami-
2	lies;
3	(5) specify the criteria that the public housing
4	agencies would use to identify opportunity areas
5	under the plan;
6	(6) provide for establishment of priority and
7	preferences for participating families, including a
8	preference for families with young children, as such
9	term is defined by the Secretary, based on regional
10	housing needs and priorities; and
11	(7) comply with any other requirements estab-
12	lished by the Secretary.
13	(d) Funding for Mobility-Related Services.—
14	(1) Use of administrative fees.—Public
15	housing agencies participating in the demonstration
16	program under this section may use administrative
17	fees under section 8(q) of the United States Housing
18	Act of 1937 (42 U.S.C. 1437f(q)), their administra-
19	tive fee reserves, and funding from private entities
20	to provide mobility-related services in connection
21	with the demonstration program, including services
22	such as counseling, portability coordination, landlord
23	outreach, security deposits, and administrative ac-
24	tivities associated with establishing and operating re-



gional mobility programs.

1	(2) Use of housing assistance funds.—
2	Public housing agencies participating in the dem-
3	onstration under this section may use housing as
4	sistance payments funds under section 8(o) of the
5	United States Housing Act of 1937 (42 U.S.C
6	1437f(o)) for security deposits if necessary to enable
7	families to lease units with vouchers in designated
8	opportunity areas.
9	(e) Waivers; Alternative Requirements.—
10	(1) Waivers.—To allow for public housing
11	agencies to implement and administer their Regiona
12	Housing Mobility Plans, the Secretary may waive or
13	specify alternative requirements for the following
14	provisions of the United States Housing Act of
15	1937:
16	(A) Sections $8(o)(7)(A)$ and $8(o)(13)(E)(i)$
17	(relating to the term of a lease and mobility re-
18	quirements).
19	(B) Section 8(o)(13)(C)(i) (relating to the
20	public housing plan for an agency).
21	(C) Section 8(r)(2) (relating to the respon-
22	sibility of a public housing agency to administer
23	ported assistance).
24	(2) Alternative requirements for con-
25	SORTIA.—The Secretary shall provide alternative ad-



1	ministrative requirements for public housing agen-
2	cies in a selected region to—
3	(A) form a consortium that has a single
4	housing choice voucher funding contract; or
5	(B) enter into a partial consortium to op-
6	erate all or portions of the Regional Housing
7	Mobility Plan, which may include agencies par-
8	ticipating in the Moving To Work Demonstra-
9	tion program.
10	(3) Effective date.—Any waiver or alter-
11	native requirements pursuant to this subsection shall
12	not take effect before the expiration of the 10-day
13	period beginning upon publication of notice of such
14	waiver or alternative requirement in the Federal
15	Register.
16	(f) Implementation.—The Secretary may imple-
17	ment the demonstration, including its terms, procedures,
18	requirements, and conditions, by notice.
19	(g) EVALUATION.—Not later than five years after im-
20	plementation of the regional housing mobility programs
21	under the demonstration program under this section, the
22	Secretary shall submit to the Congress and publish in the
23	Federal Register a report evaluating the effectiveness of
24	the strategies pursued under the demonstration, subject
25	to the availability of funding to conduct the evaluation.



- 1 Through official websites and other methods, the Sec-
- 2 retary shall disseminate interim findings as they become
- 3 available, and shall, if promising strategies are identified,
- 4 notify the Congress of the amount of funds that would
- 5 be required to expand the testing of these strategies in
- 6 additional types of public housing agencies and housing
- 7 markets.
- 8 (h) Termination.—The demonstration program
- 9 under this section shall terminate on October 1, 2028.
- 10 Sec. 236. Section 221 of the Department of Housing
- 11 and Urban Development Appropriations Act, 2015 (42)
- 12 U.S.C. 1437f-1; Public Law 113-235; 128 Stat 2754) is
- 13 repealed.
- 14 Sec. 237. The Promise Zone designations and Prom-
- 15 ise Zone Designation Agreements entered into pursuant
- 16 to such designations, made by the Secretary of Housing
- 17 and Urban Development in prior fiscal years, shall remain
- 18 in effect in accordance with the terms and conditions of
- 19 such agreements.
- 20 Sec. 238. None of the funds made available by this
- 21 Act may be used to establish and apply review criteria,
- 22 including rating factors or preference points, for participa-
- 23 tion in or coordination with EnVision Centers, in the eval-
- 24 uation, selection, and award of any funds made available
- 25 and requiring competitive selection under this Act, except



- 1 with respect to any such funds otherwise authorized for
- 2 EnVision Center purposes under this Act.
- 3 This title may be cited as the "Department of Hous-
- 4 ing and Urban Development Appropriations Act, 2019".



1	TITLE III
2	RELATED AGENCIES
3	Access Board
4	SALARIES AND EXPENSES
5	For expenses necessary for the Access Board, as au-
6	thorized by section 502 of the Rehabilitation Act of 1973,
7	as amended, \$8,400,000: Provided, That, notwithstanding
8	any other provision of law, there may be credited to this
9	appropriation funds received for publications and training
10	expenses.
11	FEDERAL MARITIME COMMISSION
12	SALARIES AND EXPENSES
13	For necessary expenses of the Federal Maritime
14	Commission as authorized by section 201(d) of the Mer-
15	chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
16	cluding services as authorized by 5 U.S.C. 3109; hire of
17	passenger motor vehicles as authorized by 31 U.S.C.
18	1343(b); and uniforms or allowances therefore, as author-
19	ized by 5 U.S.C. 5901–5902, \$27,490,000: Provided, That
20	not to exceed \$2,000 shall be available for official recep-
21	tion and representation expenses.



1	NATIONAL RAILROAD PASSENGER CORPORATION
2	OFFICE OF INSPECTOR GENERAL
3	SALARIES AND EXPENSES
4	For necessary expenses of the Office of Inspector
5	General for the National Railroad Passenger Corporation
6	to carry out the provisions of the Inspector General Act
7	of 1978, as amended, \$23,274,000: Provided, That the In-
8	spector General shall have all necessary authority, in car-
9	rying out the duties specified in the Inspector General Act
10	as amended (5 U.S.C. App. 3), to investigate allegations
11	of fraud, including false statements to the government (18
12	U.S.C. 1001), by any person or entity that is subject to
13	regulation by the National Railroad Passenger Corpora-
14	tion: Provided further, That the Inspector General may
15	enter into contracts and other arrangements for audits
16	studies, analyses, and other services with public agencies
17	and with private persons, subject to the applicable laws
18	and regulations that govern the obtaining of such services
19	within the National Railroad Passenger Corporation: $Pro-$
20	vided further, That the Inspector General may select, ap-
21	point, and employ such officers and employees as may be
22	necessary for carrying out the functions, powers, and du-
23	ties of the Office of Inspector General, subject to the appli-
24	cable laws and regulations that govern such selections, ap-
25	pointments, and employment within the Corporation: Pro-



1	vided further, That concurrent with the President's budget
2	request for fiscal year 2020, the Inspector General shall
3	submit to the House and Senate Committees on Appro-
4	priations a budget request for fiscal year 2020 in similar
5	format and substance to those submitted by executive
6	agencies of the Federal Government.
7	NATIONAL TRANSPORTATION SAFETY BOARD
8	SALARIES AND EXPENSES
9	For necessary expenses of the National Transpor-
10	tation Safety Board, including hire of passenger motor ve-
11	hicles and aircraft; services as authorized by 5 U.S.C.
12	3109, but at rates for individuals not to exceed the per
13	diem rate equivalent to the rate for a GS -15 ; uniforms,
14	or allowances therefor, as authorized by law (5 U.S.C.
15	5901-5902), $$110,400,000$, of which not to exceed $$2,000$
16	may be used for official reception and representation ex-
17	penses. The amounts made available to the National
18	Transportation Safety Board in this Act include amounts
19	necessary to make lease payments on an obligation in-
20	curred in fiscal year 2001 for a capital lease.
21	Neighborhood Reinvestment Corporation
22	PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
23	CORPORATION
24	For payment to the Neighborhood Reinvestment Cor-
25	poration for use in neighborhood reinvestment activities,



1	as authorized by the Neighborhood Reinvestment Corpora-
2	tion Act (42 U.S.C. 8101–8107), \$150,000,000, of which
3	\$5,000,000 shall be for a multi-family rental housing pro-
4	gram: Provided, That an additional \$2,000,000, to remain
5	available until September 30, 2023, shall be for the pro-
6	motion and development of shared equity housing models
7	SURFACE TRANSPORTATION BOARD
8	SALARIES AND EXPENSES
9	For necessary expenses of the Surface Transpor-
10	tation Board, including services authorized by 5 U.S.C.
11	3109, \$37,100,000: Provided, That notwithstanding any
12	other provision of law, not to exceed \$1,250,000 from fees
13	established by the Chairman of the Surface Transpor-
14	tation Board shall be credited to this appropriation as off-
15	setting collections and used for necessary and authorized
16	expenses under this heading: Provided further, That the
17	sum herein appropriated from the general fund shall be
18	reduced on a dollar-for-dollar basis as such offsetting col-
19	lections are received during fiscal year 2019, to result in
20	a final appropriation from the general fund estimated at
21	no more than \$35,850,000.



1	United States Interagency Council on
2	Homelessness
3	OPERATING EXPENSES
4	For necessary expenses (including payment of sala-
5	ries, authorized travel, hire of passenger motor vehicles,
6	the rental of conference rooms, and the employment of ex-
7	perts and consultants under section 3109 of title 5, United
8	States Code) of the United States Interagency Council on
9	Homelessness in carrying out the functions pursuant to
10	title II of the McKinney-Vento Homeless Assistance Act,
11	as amended, \$3,600,000: Provided, That the first proviso
12	in Public Law 115–141 under the heading "United States
13	Interagency Council on Homelessness—Operating Ex-
14	penses" is amended by striking "2020" and inserting
15	"2028".



1	TITLE IV
2	GENERAL PROVISIONS—THIS ACT
3	Sec. 401. None of the funds in this Act shall be used
4	for the planning or execution of any program to pay the
5	expenses of, or otherwise compensate, non-Federal parties
6	intervening in regulatory or adjudicatory proceedings
7	funded in this Act.
8	Sec. 402. None of the funds appropriated in this Act
9	shall remain available for obligation beyond the current
10	fiscal year, nor may any be transferred to other appropria-
11	tions, unless expressly so provided herein.
12	Sec. 403. The expenditure of any appropriation
13	under this Act for any consulting service through a pro-
14	curement contract pursuant to section 3109 of title 5,
15	United States Code, shall be limited to those contracts
16	where such expenditures are a matter of public record and
17	available for public inspection, except where otherwise pro-
18	vided under existing law, or under existing Executive order
19	issued pursuant to existing law.
20	Sec. 404. (a) None of the funds made available in
21	this Act may be obligated or expended for any employee
22	training that—
23	(1) does not meet identified needs for knowl-
24	edge, skills, and abilities bearing directly upon the
25	performance of official duties:



1	(2) contains elements likely to induce high lev-
2	els of emotional response or psychological stress in
3	some participants;
4	(3) does not require prior employee notification
5	of the content and methods to be used in the train-
6	ing and written end of course evaluation;
7	(4) contains any methods or content associated
8	with religious or quasi-religious belief systems or
9	"new age" belief systems as defined in Equal Em-
10	ployment Opportunity Commission Notice N-
11	915.022, dated September 2, 1988; or
12	(5) is offensive to, or designed to change, par-
13	ticipants' personal values or lifestyle outside the
14	workplace.
15	(b) Nothing in this section shall prohibit, restrict, or
16	otherwise preclude an agency from conducting training
17	bearing directly upon the performance of official duties.
18	Sec. 405. Except as otherwise provided in this Act,
19	none of the funds provided in this Act, provided by pre-
20	vious appropriations Acts to the agencies or entities fund-
21	ed in this Act that remain available for obligation or ex-
22	penditure in fiscal year 2019, or provided from any ac-
23	counts in the Treasury derived by the collection of fees
24	and available to the agencies funded by this Act, shall be

1	available for obligation or expenditure through a re-
2	programming of funds that—
3	(1) creates a new program;
4	(2) eliminates a program, project, or activity;
5	(3) increases funds or personnel for any pro-
6	gram, project, or activity for which funds have been
7	denied or restricted by the Congress;
8	(4) proposes to use funds directed for a specific
9	activity by either the House or Senate Committees
10	on Appropriations for a different purpose;
11	(5) augments existing programs, projects, or ac-
12	tivities in excess of \$5,000,000 or 10 percent, which-
13	ever is less;
14	(6) reduces existing programs, projects, or ac-
15	tivities by \$5,000,000 or 10 percent, whichever is
16	less; or
17	(7) creates, reorganizes, or restructures a
18	branch, division, office, bureau, board, commission,
19	agency, administration, or department different from
20	the budget justifications submitted to the Commit-
21	tees on Appropriations or the table accompanying
22	the joint explanatory statement accompanying this
23	Act, whichever is more detailed, unless prior ap-
24	proval is received from the House and Senate Com-
25	mittees on Appropriations: Provided, That not later



1	than 60 days after the date of enactment of this
2	Act, each agency funded by this Act shall submit a
3	report to the Committees on Appropriations of the
4	Senate and of the House of Representatives to es-
5	tablish the baseline for application of reprogram-
6	ming and transfer authorities for the current fiscal
7	year: Provided further, That the report shall in-
8	clude—
9	(A) a table for each appropriation with a

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year enacted level by object class and program, project, and activity as detailed in this Act, the table accompanying the explanatory statement accompanying this Act, accompanying reports of the House and Senate Committee on Appropriations, or in the budget appendix for the respective appropriations, whichever is more detailed, and shall apply to all items for which a dollar amount is specified and to all programs for

1	which new budget (obligational) authority is
2	provided, as well as to discretionary grants and
3	discretionary grant allocations; and
4	(C) an identification of items of special
5	congressional interest.
6	Sec. 406. Except as otherwise specifically provided
7	by law, not to exceed 50 percent of unobligated balances
8	remaining available at the end of fiscal year 2019 from
9	appropriations made available for salaries and expenses
10	for fiscal year 2019 in this Act, shall remain available
11	through September 30, 2020, for each such account for
12	the purposes authorized: Provided, That a request shall
13	be submitted to the House and Senate Committees on Ap-
14	propriations for approval prior to the expenditure of such
15	funds: Provided further, That these requests shall be made
16	in compliance with reprogramming guidelines under sec-
17	tion 405 of this Act.
18	Sec. 407. No funds in this Act may be used to sup-
19	port any Federal, State, or local projects that seek to use
20	the power of eminent domain, unless eminent domain is
21	employed only for a public use: Provided, That for pur-
22	poses of this section, public use shall not be construed to
23	include economic development that primarily benefits pri-
24	vate entities: Provided further, That any use of funds for
25	mass transit, railroad, airport, seaport or highway



- 1 projects, as well as utility projects which benefit or serve
- 2 the general public (including energy-related, communica-
- 3 tion-related, water-related and wastewater-related infra-
- 4 structure), other structures designated for use by the gen-
- 5 eral public or which have other common-carrier or public-
- 6 utility functions that serve the general public and are sub-
- 7 ject to regulation and oversight by the government, and
- 8 projects for the removal of an immediate threat to public
- 9 health and safety or brownfields as defined in the Small
- 10 Business Liability Relief and Brownfields Revitalization
- 11 Act (Public Law 107-118) shall be considered a public
- 12 use for purposes of eminent domain.
- 13 Sec. 408. None of the funds made available in this
- 14 Act may be transferred to any department, agency, or in-
- 15 strumentality of the United States Government, except
- 16 pursuant to a transfer made by, or transfer authority pro-
- 17 vided in, this Act or any other appropriations Act.
- 18 Sec. 409. No part of any appropriation contained in
- 19 this Act shall be available to pay the salary for any person
- 20 filling a position, other than a temporary position, for-
- 21 merly held by an employee who has left to enter the Armed
- 22 Forces of the United States and has satisfactorily com-
- 23 pleted his or her period of active military or naval service,
- 24 and has within 90 days after his or her release from such
- 25 service or from hospitalization continuing after discharge



- 1 for a period of not more than 1 year, made application
- 2 for restoration to his or her former position and has been
- 3 certified by the Office of Personnel Management as still
- 4 qualified to perform the duties of his or her former posi-
- 5 tion and has not been restored thereto.
- 6 Sec. 410. No funds appropriated pursuant to this
- 7 Act may be expended by an entity unless the entity agrees
- 8 that in expending the assistance the entity will comply
- 9 with sections 2 through 4 of the Act of March 3, 1933
- 10 (41 U.S.C. 8301–8305, popularly known as the "Buy
- 11 American Act").
- 12 Sec. 411. No funds appropriated or otherwise made
- 13 available under this Act shall be made available to any
- 14 person or entity that has been convicted of violating the
- 15 Buy American Act (41 U.S.C. 8301–8305).
- 16 Sec. 412. None of the funds made available in this
- 17 Act may be used for first-class airline accommodations in
- 18 contravention of sections 301–10.122 and 301–10.123 of
- 19 title 41, Code of Federal Regulations.
- Sec. 413. (a) None of the funds made available by
- 21 this Act may be used to approve a new foreign air carrier
- 22 permit under sections 41301 through 41305 of title 49,
- 23 United States Code, or exemption application under sec-
- 24 tion 40109 of that title of an air carrier already holding
- 25 an air operators certificate issued by a country that is



- 1 party to the U.S.-E.U.-Iceland-Norway Air Transport
- 2 Agreement where such approval would contravene United
- 3 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
- 4 way Air Transport Agreement.
- 5 (b) Nothing in this section shall prohibit, restrict or
- 6 otherwise preclude the Secretary of Transportation from
- 7 granting a foreign air carrier permit or an exemption to
- 8 such an air carrier where such authorization is consistent
- 9 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
- 10 ment and United States law.
- 11 Sec. 414. None of the funds made available in this
- 12 Act may be used to send or otherwise pay for the attend-
- 13 ance of more than 50 employees of a single agency or de-
- 14 partment of the United States Government, who are sta-
- 15 tioned in the United States, at any single international
- 16 conference unless the relevant Secretary reports to the
- 17 House and Senate Committees on Appropriations at least
- 18 5 days in advance that such attendance is important to
- 19 the national interest: *Provided*, That for purposes of this
- 20 section the term "international conference" shall mean a
- 21 conference occurring outside of the United States attended
- 22 by representatives of the United States Government and
- 23 of foreign governments, international organizations, or
- 24 nongovernmental organizations.



- 1 Sec. 415. None of the funds appropriated or other-
- 2 wise made available under this Act may be used by the
- 3 Surface Transportation Board to charge or collect any fil-
- 4 ing fee for rate or practice complaints filed with the Board
- 5 in an amount in excess of the amount authorized for dis-
- 6 trict court civil suit filing fees under section 1914 of title
- 7 28, United States Code.
- 8 Sec. 416. None of the funds made available by this
- 9 Act may be used by the Department of Transportation,
- 10 the Department of Housing and Urban Development, or
- 11 any other Federal agency to lease or purchase new light
- 12 duty vehicles for any executive fleet, or for an agency's
- 13 fleet inventory, except in accordance with Presidential
- 14 Memorandum—Federal Fleet Performance, dated May
- 15 24, 2011.
- 16 Sec. 417. (a) None of the funds made available in
- 17 this Act may be used to maintain or establish a computer
- 18 network unless such network blocks the viewing,
- 19 downloading, and exchanging of pornography.
- 20 (b) Nothing in subsection (a) shall limit the use of
- 21 funds necessary for any Federal, State, tribal, or local law
- 22 enforcement agency or any other entity carrying out crimi-
- 23 nal investigations, prosecution, or adjudication activities.
- Sec. 418. (a) None of the funds made available in
- 25 this Act may be used to deny an Inspector General funded



- 1 under this Act timely access to any records, documents,
- 2 or other materials available to the department or agency
- 3 over which that Inspector General has responsibilities
- 4 under the Inspector General Act of 1978 (5 U.S.C. App.),
- 5 or to prevent or impede that Inspector General's access
- 6 to such records, documents, or other materials, under any
- 7 provision of law, except a provision of law that expressly
- 8 refers to the Inspector General and expressly limits the
- 9 Inspector General's right of access.
- 10 (b) A department or agency covered by this section
- 11 shall provide its Inspector General with access to all such
- 12 records, documents, and other materials in a timely man-
- 13 ner.
- (c) Each Inspector General shall ensure compliance
- 15 with statutory limitations on disclosure relevant to the in-
- 16 formation provided by the establishment over which that
- 17 Inspector General has responsibilities under the Inspector
- 18 General Act of 1978 (5 U.S.C. App.).
- 19 (d) Each Inspector General covered by this section
- 20 shall report to the Committees on Appropriations of the
- 21 House of Representatives and the Senate within 5 cal-
- 22 endar days any failures to comply with this requirement.
- Sec. 419. None of the funds appropriated or other-
- 24 wise made available by this Act may be used to pay award
- 25 or incentive fees for contractors whose performance has



- 1 been judged to be below satisfactory, behind schedule, over
- 2 budget, or has failed to meet the basic requirements of
- 3 a contract, unless the Agency determines that any such
- 4 deviations are due to unforeseeable events, government-
- 5 driven scope changes, or are not significant within the
- 6 overall scope of the project and/or program unless such
- 7 awards or incentive fees are consistent with 16.401(e)(2)
- 8 of the FAR.
- 9 Sec. 420. For an additional amount for the "Rail-
- 10 road Rehabilitation and Improvement Financing Pro-
- 11 gram" account for the cost of modifications, as defined
- 12 by section 502 of the Federal Credit Reform Act of 1990,
- 13 of direct loans issued pursuant to sections 501 through
- 14 504 of the Railroad Revitalization and Regulatory Reform
- 15 Act of 1976 (Public Law 94–210), as amended, and in-
- 16 cluded in cohort 1, as defined by the Department of
- 17 Transportation's memorandum to the Office of Manage-
- 18 ment and Budget dated November 5, 2018, \$17,000,000,
- 19 to remain available until expended: Provided, That, for a
- 20 direct loan included in cohort 1, as defined in the memo-
- 21 randum described in the previous proviso, that has satis-
- 22 fied all obligations attached to such loan, the Secretary
- 23 shall repay the credit risk premiums of such loan, with
- 24 interest accrued thereon, not later than 60 days after the
- 25 enactment of this Act or, for a direct loan included in co-



1	hort 1 with obligations that have not yet been satisfied,
2	not later than 60 days after the date on which all obliga-
3	tions attached to such loan have been satisfied.
4	Sec. 421. Section 127(l) of title 23, United States
5	Code, is amended by adding at the end the following:
6	"(3) Additional highway segments.—
7	"(A) IN GENERAL.—If any segment of
8	highway described in clause (i) or (ii) of this
9	subparagraph is designated as a route of the
10	Interstate System, a vehicle that could operate
11	legally on that segment before the date of such
12	designation may continue to operate on that
13	segment, without regard to any requirement
14	under subsection (a), except that such vehicle
15	shall not exceed a gross vehicle weight of
16	120,000 pounds. The highway segments re-
17	ferred to in this paragraph are as follows:
18	"(i) The William H. Natcher Parkway
19	(to be designated as a spur of Interstate
20	Route 65) from Interstate Route 65 in
21	Bowling Green, Kentucky, to United
22	States Route 60 in Owensboro, Kentucky.
23	"(ii) The Julian M. Carroll (Pur-
24	chase) Parkway (to be designated as Inter-
25	state Route 69) in Kentucky from the Ten-

1	nessee state line to the interchange with
2	Interstate Route 24, near Calvert City.
3	"(B) Nondivisible load or vehicle.—
4	Nothing in this paragraph shall prohibit the
5	State from issuing a permit for a nondivisible
6	load or vehicle with a gross vehicle weight that
7	exceeds 120,000 pounds.".
8	SEC. 422. Section 127(s) of title 23, United States
9	Code, is amended—
10	(1) by striking the subsection heading and in-
11	serting the following: "(s) NATURAL GAS AND ELEC-
12	TRIC BATTERY VEHICLES";
13	(2) by inserting "or powered primarily by
14	means of electric battery power" after the first time
15	"natural gas" appears;
16	(3) by striking "any vehicle weight limit" and
17	inserting "the weight limit on the power unit by up
18	to 2,000 pounds"; and
19	(4) by striking all that follows after "under this
20	section" and inserting a period after "section".
21	Sec. 423. Section 31112(c) of title 49, United States
22	Code, is amended—
23	(1) in the subsection heading by striking "AND
24	Kansas" and inserting "Kansas, and Oregon";



1	(2) in paragraph (4) by striking "and" at the
2	end;
3	(3) in paragraph (5) by striking the period at
4	the end and inserting "; and; and
5	(4) by adding at the end the following:
6	"(6) Oregon may allow the operation of a truck
7	tractor and 2 property-carrying units not in actual
8	lawful operation on a regular or periodic basis on
9	June 1, 1991, if—
10	"(A) the length of the property-carrying
11	units does not exceed 82 feet 8 inches;
12	"(B) the combination is used only to trans-
13	port sugar beets; and
14	"(C) the operation occurs on United States
15	Route 20, United States Route 26, United
16	States Route 30, or Oregon Route 201 in the
17	vicinity, or between any, of—
18	"(i) Vale, Oregon;
19	"(ii) Ontario, Oregon; or
20	"(iii) Nyssa, Oregon.".
21	This division may be cited as the "Transportation,
22	Housing and Urban Development, and Related Agencies
23	Appropriations Act. 2019"



1	DIVISION G—OTHER MATTERS
2	TITLE I
3	TECHNICAL CORRECTIONS
4	Sec. 101. Section 177 of division C of Public Law
5	114–223, as amended by Public Law 114–254, is amend-
6	ed by inserting "and the 116th Congress" after "the
7	115th Congress" in each instance it appears.
8	SEC. 102. (a) During fiscal year 2019 and each suc-
9	ceeding fiscal year, amounts appropriated or otherwise
0	made available for the Architect of the Capitol under the
1	heading "House Office Buildings" may be transferred to
2	the House of Representatives and merged with and made
3	available under the heading "Allowances and Expenses",
4	subject to the approval of the Committee on Appropria-
5	tions of the House of Representatives.
6	(b) The period of availability of any amounts trans-
7	ferred to the House of Representatives under this section
8	shall be the same period of availability applicable to such
9	amounts as appropriated for the Architect of the Capitol.
20	Sec. 103. Section 243 of title II of division C of Pub-
21	lic Law 115–244 is amended by inserting "248" after
22	"section".
23	Sec. 104. (a) Discretionary amounts appropriated by
24	any division of this consolidated Act shall be available for
5	normants in accordance with section 1241(a) of title 21



- 1 United States Code (as added by the Government Em-
- 2 ployee Fair Treatment Act of 2019) to employees whose
- 3 salaries and expenses are provided in that division.
- 4 (b) All obligations incurred in anticipation of the ap-
- 5 propriations made and authority granted by any division
- 6 of this consolidated Act for the purposes of maintaining
- 7 the essential level of activity to protect life and property
- 8 and bringing about orderly termination of Government
- 9 functions, and for purposes as otherwise authorized by
- 10 law, are hereby ratified and approved if otherwise in ac-
- 11 cord with the provisions of any division of this consoli-
- 12 dated Act, and for purposes of such obligations the time
- 13 period covered by this Act shall be considered to include
- 14 the period which began on or about December 22, 2018,
- 15 during which there occurred a lapse in appropriations.
- 16 Sec. 105. (a) If a State (or another Federal grantee)
- 17 used State funds (or the grantee's non-Federal funds) to
- 18 continue carrying out a Federal program or furloughed
- 19 State employees (or the grantee's employees) whose com-
- 20 pensation is advanced or reimbursed in whole or in part
- 21 by the Federal Government—
- 22 (1) such furloughed employees shall be com-
- pensated at their standard rate of compensation for
- 24 such period;



1	(2) the State (or such other grantee) shall be
2	reimbursed for expenses that would have been paid
3	by the Federal Government during such period had
4	appropriations been available, including the cost of
5	compensating such furloughed employees, together
6	with interest thereon calculated under section
7	6503(d) of title 31, United States Code; and
8	(3) the State (or such other grantee) may use
9	funds available to the State (or the grantee) under
10	such Federal program to reimburse such State (or
11	the grantee), together with interest thereon cal-
12	culated under section 6503(d) of title 31, United
13	States Code.
14	(b) For purposes of this section, the term "State"
15	and the term "grantee," including United States terri-
16	tories and possessions, shall have the meaning given such
17	terms under the applicable Federal program under sub-
18	section (a). In addition, "to continue carrying out a Fed-
19	eral program" means the continued performance by a
20	State or other Federal grantee, during the period of a
21	lapse in appropriations, of a Federal program that the
22	State or such other grantee had been carrying out prior
23	to the period of the lapse in appropriations.
24	(c) The authority under this section applies with re-
25	spect to any period in fiscal year 2019 (not limited to peri-



- 1 ods beginning or ending after the date of the enactment
- 2 of this Act) during which there occurs a lapse in appro-
- 3 priations with respect to any department or agency of the
- 4 Federal Government receiving funding in any division of
- 5 this consolidated Act which, but for such lapse in appro-
- 6 priations, would have paid, or made reimbursement relat-
- 7 ing to, any of the expenses referred to in this section with
- 8 respect to the program involved. Payments and reimburse-
- 9 ments under this authority shall be made only to the ex-
- 10 tent and in amounts provided in advance in appropriations
- 11 Acts.
- 12 Sec. 106. (a) Section 3(20)(B) of the Carl D. Per-
- 13 kins Career and Technical Education Act of 2006 (20
- 14 U.S.C. 2302(20)(B)), as amended by section 7 of the
- 15 Strengthening Career and Technical Education for the
- 16 21st Century Act (Public Law 115-224), is amended by
- 17 inserting ", except that, for the purpose of section 132,
- 18 the term 'recognized postsecondary credential' as used in
- 19 this subparagraph shall not include a baccalaureate de-
- 20 gree" after "associate degree".
- 21 (b) The amendment made by subsection (a) shall take
- 22 effect on July 1, 2019, as if included in the Strengthening
- 23 Career and Technical Education for the 21st Century Act
- 24 (Public Law 115-224).



1	TITLE II
2	EXTENSIONS OF AUTHORITIES
3	Sec. 201. Sections 1309(a) and 1319 of the National
4	Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and
5	4026) shall be applied by substituting "September 30,
6	2019" for "December 7, 2018".
7	Sec. 202. (a) The following sections of the Federal
8	Insecticide, Fungicide, and Rodenticide Act shall continue
9	in effect through March 1, 2019—
10	(1) subparagraphs (C) through (E) of section
11	4(i)(1) (7 U.S.C. $136a-1(i)(1)(C)-(E)$);
12	(2) section 4(k)(3) (7 U.S.C. 136a–1(k)(3));
13	(3) section $4(k)(4)$ (7 U.S.C. $136a-1(k)(4)$);
14	and
15	(4) section $33(c)(3)(B)$ (7 U.S.C. $136w-$
16	8(e)(3)(B)).
17	(b)(1) Section $4(i)(1)(I)$ of the Federal Insecticide,
18	Fungicide, and Rodenticide Act (7 U.S.C. 136a-
19	1(i)(1)(I)) shall be applied by substituting "March 1,
20	2019" for "September 30, 2017".
21	(2) Notwithstanding section 33(m)(2) of the Federal
22	Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.
23	136w-8(m)(2)), section 33(m)(1) of such Act (7 U.S.C.
24	136w-8(m)(1)) shall be applied by substituting "March 1,
25	2019" for "September 30, 2017".



- 1 (c) Section 408(m)(3) of the Federal Food, Drug,
- 2 and Cosmetic Act (21 U.S.C. 346a(m)(3)) shall be applied
- 3 by substituting "March 1, 2019" for "September 30,
- 4 2017".
- 5 TANF PROGRAM EXTENSIONS
- 6 Sec. 203. (a) Family Assistance Grants.—Sec-
- 7 tion 403(a)(1) of the Social Security Act (42 U.S.C.
- 8 603(a)(1)) is amended in each of subparagraphs (A) and
- 9 (C) by striking "2017 and 2018" and inserting "2019 and
- 10 2020".
- 11 (b) Healthy Marriage Promotion and Respon-
- 12 SIBLE FATHERHOOD GRANTS.—Section 403(a)(2)(D) of
- 13 such Act (42 U.S.C. 603(a)(2)(D)) is amended—
- 14 (1) by striking "2017 and 2018" and inserting
- 15 "2019 and 2020"; and
- 16 (2) by striking "for fiscal year 2017 or 2018".
- (c) Contingency Fund.—Section 403(b)(2) of such
- 18 Act (42 U.S.C. 603(b)(2)) is amended by striking "fiscal
- 19 year 2018" and inserting "each of fiscal years 2019 and
- 20 2020".
- 21 (d) Tribal Family Assistance Grants.—Para-
- 22 graphs (1)(A) and (2)(A) of section 412(a) of such Act
- 23 (42 U.S.C. 612(a)) are each amended by striking "2017
- 24 and 2018" and inserting "2019 and 2020".



1	(e) Child Care.—Section 418(a)(3) of such Act (42
2	U.S.C. 618(a)(3)) is amended by striking "2017 and
3	2018" and inserting "2019 and 2020".
4	(f) Grants to the Territories.—Section
5	1108(b)(2) of such Act (42 U.S.C. 1308(b)(2)) is amend-
6	ed by striking "2017 and 2018" and inserting "2019 and
7	2020".
8	MEASURING AND UNDERSTANDING OUTCOMES
9	Sec. 204. (a) In General.—Section 411(a) of the
10	Social Security Act (42 U.S.C. 611(a)) is amended by re-
11	designating paragraph (7) as paragraph (8) and inserting
12	after paragraph (6) the following:
13	"(7) Report on engagement, employment
14	AND OUTCOMES.—
15	"(A) REPORTING AGREEMENT.—Each
16	State and the Secretary shall enter into an
17	agreement specifying the manner by which the
18	information and data described in this para-
19	graph shall be collected and reported to the
20	Secretary beginning in fiscal year 2020.
21	"(i) Outcomes for exiting recipi-
22	ENTS.—Information and data regarding
23	families who formerly received assistance
24	and included a work-eligible individual
25	(disaggregated by type of family, reason
26	for exit and participation in work activi-

1	ties during the preceding fiscal year) under
2	the State program funded under this part
3	or under any State program funded with
4	qualified State expenditures (as defined in
5	section 409(a)(7)(B)(i)), with respect to
6	the following:
7	"(I) The percentage with at least
8	1 formerly work-eligible individual em-
9	ployed during the 2nd quarter after
10	exiting from the program.
11	"(II) The percentage with at
12	least 1 formerly work-eligible indi-
13	vidual employed during the 4th quar-
14	ter after exiting from the program.
15	"(III) The median earnings when
16	at least 1 formerly work-eligible indi-
17	vidual is employed during the 2d
18	quarter after exiting from the pro-
19	gram.
20	"(IV) The percentage with at
21	least 1 formerly work-eligible indi-
22	vidual employed during any of the
23	first 4 quarters after exiting from the
24	program

1	"(V) The distribution of income
2	and earnings, including relative to
3	poverty and deep poverty, for each of
4	the first 4 quarters ending after the
5	quarter of exit from assistance.
6	"(VI) The percentage who, at the
7	time of exit from the program, were
8	subject to the following:
9	"(aa) A penalty under sec-
10	tion 407(e).
11	"(bb) A sanction or penalty
12	described in section 404 or 408.
13	"(cc) A penalty or sanction
14	not described in item (aa) or
15	(bb).
16	"(ii) Engagement and employ-
17	MENT OF CURRENT RECIPIENTS.—
18	"(I) Work-eligible individ-
19	UALS.—In the case of current work-el-
20	igible individuals under the State pro-
21	gram funded under this part or under
22	any State program funded with quali-
23	fied State expenditures (as defined in
24	section 409(a)(7)(B)(i)), the following



1	information relative to current quarter
2	being reported:
3	"(aa) Earnings in each of
4	the 4 quarters immediately pre-
5	ceding the quarter.
6	"(bb) Standard measures of
7	employment, earnings, receipt of
8	assistance, and participation in
9	work activities (as defined in sec-
10	tion 407(d)) in each of the first
11	4 quarters following the quarter.
12	"(II) ALL RECIPIENTS.— The
13	percentage of recipients of assistance
14	under the State program funded
15	under this part who have not attained
16	24 years of age and who obtain a high
17	school degree or its recognized equiva-
18	lent while receiving the assistance.
19	"(B) STATISTICAL ADJUSTMENT MODEL
20	FOR EMPLOYMENT OUTCOMES.—The Secretary,
21	in consultation with the Secretary of Labor and
22	relevant experts, shall develop recommendations
23	by March 1, 2020, on how to establish and dis-
24	seminate an objective statistical model that will
25	allow the Secretary to make adjustments to the



1	data reported pursuant to subclauses (I)
2	through (IV) of subparagraph (A)(i) of this
3	paragraph, based on economic conditions and
4	the characteristics of participants. To the ex-
5	tent practicable, the recommendations shall be
6	compatible with the statistical adjustment
7	model developed under section
8	116(b)(3)(A)(viii) of the Workforce Innovation
9	and Opportunity Act (29 U.S.C.
10	3141(b)(3)(A)(viii)) and, with respect to a
11	State, the State adjusted levels of performance
12	established for the State under that section.".
13	TECHNICAL CORRECTIONS TO DATA EXCHANGE
14	STANDARDS TO IMPROVE PROGRAM COORDINATION
15	Sec. 205. (a) In General.—Section 411(d) of the
16	Social Security Act (42 U.S.C. 611(d)) is amended to read
17	as follows:
18	"(d) Data Exchange Standards for Improved
19	Interoperability.—
20	"(1) Designation.—The Secretary shall, in
21	consultation with an interagency work group estab-
22	lished by the Office of Management and Budget and
23	considering State government perspectives, by rule,
24	designate data exchange standards to govern, under
25	this part—



1	"(A) necessary categories of information
2	that State agencies operating programs under
3	State plans approved under this part are re-
4	quired under applicable Federal law to elec-
5	tronically exchange with another State agency
6	and
7	"(B) Federal reporting and data exchange
8	required under applicable Federal law.
9	"(2) Requirements.—The data exchange
10	standards required by paragraph (1) shall, to the ex-
11	tent practicable—
12	"(A) incorporate a widely accepted, non-
13	proprietary, searchable, computer-readable for-
14	mat, such as the eXtensible Markup Language
15	"(B) contain interoperable standards devel-
16	oped and maintained by intergovernmental
17	partnerships, such as the National Information
18	Exchange Model;
19	"(C) incorporate interoperable standards
20	developed and maintained by Federal entities
21	with authority over contracting and financial
22	assistance;
23	"(D) be consistent with and implement ap-
24	plicable accounting principles;



1	"(E) be implemented in a manner that is
2	cost-effective and improves program efficiency
3	and effectiveness; and
4	"(F) be capable of being continually up-
5	graded as necessary.
6	"(3) Rule of Construction.—Nothing in
7	this subsection shall be construed to require a
8	change to existing data exchange standards found to
9	be effective and efficient.".
10	(b) Effective Date.—Not later than the date that
11	is 24 months after the date of the enactment of this sec-
12	tion, the Secretary of Health and Human Services shall
13	issue a proposed rule that—
14	(1) identifies federally required data exchanges,
15	include specification and timing of exchanges to be
16	standardized, and address the factors used in deter-
17	mining whether and when to standardize data ex-
18	changes; and
19	(2) specifies State implementation options and
20	describes future milestones.
21	UNEMPLOYMENT INSURANCE TECHNICAL CORRECTIONS
22	Sec. 206. Section 306(a) of the Social Security Act
23	(42 U.S.C. 506(a)) is amended—
24	(1) by striking "individuals" and inserting
25	"claimants of regular compensation, including claim-
26	ants": and



1	(2) by inserting a comma after "section
2	303(j)".
3	TITLE III
4	MEDICAID EXTENDERS
5	EXTENSION OF MONEY FOLLOWS THE PERSON
6	REBALANCING DEMONSTRATION
7	Sec. 301. (a) General Funding.—Section 6071(h)
8	of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a
9	note) is amended—
10	(1) in paragraph (1)—
11	(A) in subparagraph (D), by striking
12	"and" after the semicolon;
13	(B) in subparagraph (E), by striking the
14	period at the end and inserting "; and"; and
15	(C) by adding at the end the following:
16	"(F) subject to paragraph (3),
17	\$112,000,000 for fiscal year 2019.";
18	(2) in paragraph (2)—
19	(A) by striking "Amounts made" and in-
20	serting "Subject to paragraph (3), amounts
21	made"; and
22	(B) by striking "September 30, 2016" and
23	inserting "September 30, 2021"; and
24	(3) by adding at the end the following new
25	paragraph:



1	"(3) Special rule for fy 2019.—Funds ap-
2	propriated under paragraph (1)(F) shall be made
3	available for grants to States only if such States
4	have an approved MFP demonstration project under
5	this section as of December 31, 2018.".
6	(b) Funding for Quality Assurance and Im-
7	PROVEMENT; TECHNICAL ASSISTANCE; OVERSIGHT.—
8	Section $6071(f)$ of the Deficit Reduction Act of 2005 (42
9	U.S.C. 1396a note) is amended by striking paragraph (2)
10	and inserting the following:
11	"(2) Funding.—From the amounts appro-
12	priated under subsection $(h)(1)(F)$ for fiscal year
13	2019, \$500,000 shall be available to the Secretary
14	for such fiscal year to carry out this subsection.".
15	(c) Technical Amendment.—Section 6071(b) of
16	the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note)
17	is amended by adding at the end the following:
18	"(10) Secretary.—The term 'Secretary'
19	means the Secretary of Health and Human Serv-
20	ices.".
21	EXTENSION OF PROTECTION FOR MEDICAID RECIPIENTS
22	OF HOME AND COMMUNITY-BASED SERVICES
23	AGAINST SPOUSAL IMPOVERISHMENT
24	Sec. 302. (a) In General.—Section 2404 of Public
25	Law 111–148 (42 U.S.C. 1396r–5 note) is amended by

1	striking "the 5-year period that begins on January 1,
2	2014," and inserting "the period beginning on January
3	1, 2014, and ending on March 31, 2019,".
4	(b) Rule of Construction.—
5	(1) Protecting state spousal income and
6	ASSET DISREGARD FLEXIBILITY UNDER WAIVERS
7	AND PLAN AMENDMENTS.—Nothing in section 2404
8	of Public Law 111–148 (42 U.S.C. 1396r–5 note) or
9	section 1924 of the Social Security Act (42 U.S.C.
10	1396r-5) shall be construed as prohibiting a State
11	from disregarding an individual's spousal income
12	and assets under a State waiver or plan amendment
13	described in paragraph (2) for purposes of making
14	determinations of eligibility for home and commu-
15	nity-based services or home and community-based
16	attendant services and supports under such waiver
17	or plan amendment.
18	(2) State waiver or plan amendment de-
19	SCRIBED.—A State waiver or plan amendment de-
20	scribed in this paragraph is any of the following:
21	(A) A waiver or plan amendment to pro-
22	vide medical assistance for home and commu-
23	nity-based services under a waiver or plan
24	amendment under subsection (c), (d), or (i) of
25	section 1915 of the Social Security Act (42)



1	U.S.C. 1396n) or under section 1115 of such
2	Act (42 U.S.C. 1315).
3	(B) A plan amendment to provide medical
4	assistance for home and community-based serv-
5	ices for individuals by reason of being deter-
6	mined eligible under section 1902(a)(10)(C) of
7	such Act (42 U.S.C. $1396a(a)(10)(C)$) or by
8	reason of section 1902(f) of such Act (42
9	U.S.C. 1396a(f)) or otherwise on the basis of a
10	reduction of income based on costs incurred for
11	medical or other remedial care under which the
12	State disregarded the income and assets of the
13	individual's spouse in determining the initial
14	and ongoing financial eligibility of an individual
15	for such services in place of the spousal impov-
16	erishment provisions applied under section 1924
17	of such Act (42 U.S.C. 1396r-5).
18	(C) A plan amendment to provide medical
19	assistance for home and community-based at-
20	tendant services and supports under section



21

1915(k) of such Act (42 U.S.C. 1396n(k)).

1	REDUCTION IN FMAP AFTER 2020 FOR STATES WITHOUT
2	ASSET VERIFICATION PROGRAM
3	Sec. 303. Section 1940 of the Social Security Act
4	(42 U.S.C. 1396w) is amended by adding at the end the
5	following new subsection:
6	"(k) Reduction in FMAP After 2020 for Non-
7	COMPLIANT STATES.—
8	"(1) In general.—With respect to a calendar
9	quarter beginning on or after January 1, 2021, the
10	Federal medical assistance percentage otherwise de-
11	termined under section 1905(b) for a non-compliant
12	State shall be reduced—
13	"(A) for calendar quarters in 2021 and
14	2022, by 0.12 percentage points;
15	"(B) for calendar quarters in 2023, by
16	0.25 percentage points;
17	"(C) for calendar quarters in 2024, by
18	0.35 percentage points; and
19	"(D) for calendar quarters in 2025 and
20	each year thereafter, by 0.5 percentage points.
21	"(2) Non-compliant state defined.—For
22	purposes of this subsection, the term 'non-compliant
23	State' means a State—
24	"(A) that is one of the 50 States or the
25	District of Columbia:



1	"(B) with respect to which the Secretary
2	has not approved a State plan amendment sub-
3	mitted under subsection (a)(2); and
4	"(C) that is not operating, on an ongoing
5	basis, an asset verification program in accord-
6	ance with this section.".
7	MEDICAID IMPROVEMENT FUND
8	SEC. 304. Section 1941(b)(1) of the Social Security
9	Act (42 U.S.C. 1396w-1(b)(1)) is amended by striking
10	"\$31,000,000" and inserting "\$6,000,000".
11	BUDGETARY EFFECTS
12	Sec. 305. (a) Statutory PAYGO Scorecards.—
13	The budgetary effects of this division shall not be entered
14	on either PAYGO scorecard maintained pursuant to sec-
15	tion 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2
16	U.S.C. 933(d)).
17	(b) Senate PAYGO Scorecards.—The budgetary
18	effects of this division shall not be entered on any PAYGO
19	scorecard maintained for purposes of section 4106 of H.
20	Con. Res. 71 (115th Congress).
21	(c) Classification of Budgetary Effects.—
22	Notwithstanding Rule 3 of the Budget Scorekeeping
23	Guidelines set forth in the joint explanatory statement of
24	the committee of conference accompanying Conference Re-
25	port 105–217 and section 250(c)(8) of the Balanced



1103

1	Budget and Emergency Deficit Control Act of 1985, the
2	budgetary effects of this division shall not be estimated—
3	(1) for purposes of section 251 of such Act; and
4	(2) for purposes of paragraph (4)(C) of section
5	3 of the Statutory Pay-As-You-Go Act of 2010 as
6	being included in an appropriation Act.
7	TITLE IV
8	BUDGETARY EFFECTS
9	Sec. 401. Effective on the date of enactment of this
10	Act, the balances on the PAYGO scorecards established
11	pursuant to paragraphs (4) and (5) of section 4(d) of the
12	Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d))
13	shall be zero

 \circ



 From:
 Balzano, Richard (MARAD)

 Sent:
 26 Jun 2018 11:51:09 +0000

To: Plans, Barry (OST)

Subject: FW: New Applicants for the MTSNAC

Attachments: 2018 MTSNAC Member Proposed Roster Alpha with Titles Divided - Final.docx,

2018 MTSNAC Member recommendation Roster Alpha with Titles - Final.docx

CAPT Barry,

Good morning Sir.

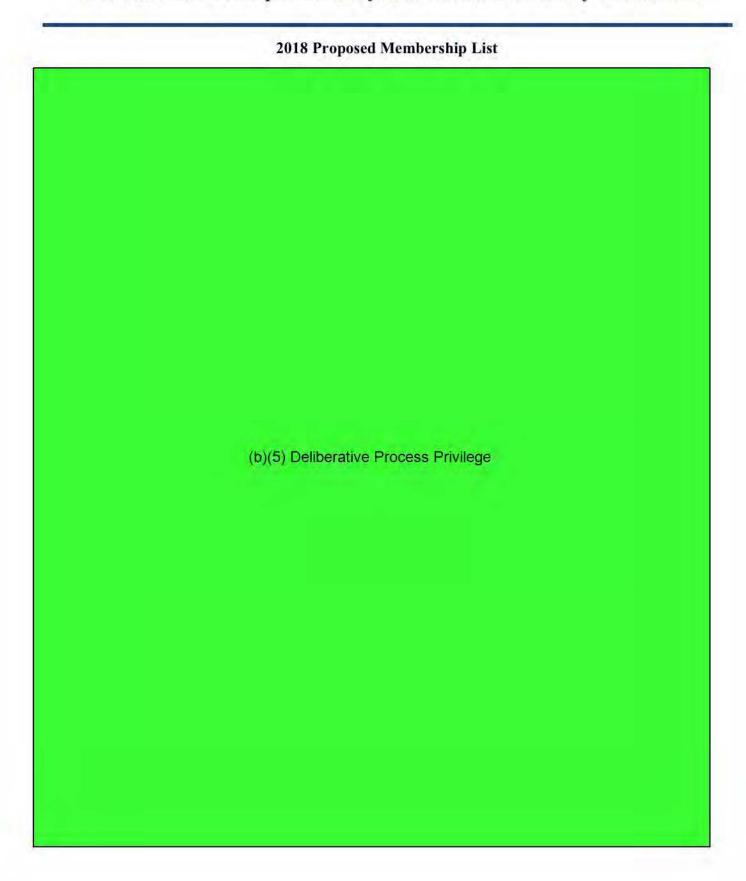
Attached are two document one with the proposed list broken down by reappointments, new appointments and federal observers, and the other just a comprehensive list.

V/r

DB



U.S. Maritime Transportation System National Advisory Committee





U.S. Maritime Transportation System National Advisory Committee

Recommendations for Appointment to the MTSNAC

mes and affiliation	s:	
	(b)(5) Deliberative Process Privilege	



From: Larimore, Andrew (MARAD)

Sent: 28 May 2019 18:28:06 +0000

To: Balzano, Richard (MARAD)

Cc: Dear, Wilda (MARAD)

Subject: 19-0070-FOIA Request Description

Attachments: FOIA - Foremost Group and Maritime - Forbes Tindera.pdf

Mr. Balzano,

The incoming FOIA request correspondence from Michela Tindera is attached for your reference. If you have any questions, please feel free to ask.

Best,

Andrew Larimore FOIA Service Center Maritime Administration 202-366-1197



499 Washington Blvd., Jersey City, NJ 07310

May 20, 2019

FOIA REQUEST

Fee benefit requested

Dear Mr. Hudson,

Pursuant to my rights under the federal Freedom of Information Act, 5 U.S.C. § 552, I am making the following request for records:

All records reflecting communications (including emails, email attachments, text messages, slack messages, telephone call logs, calendar invitations/entries, meeting notices, meeting agendas, informational material, talking points, any handwritten or electronic notes taken during any responsive communications, summaries of any responsive communications, or other materials) between employees who work at the Maritime Administration and Angela Chao, or any other representative of Foremost Group (http://www.foremostgroupusa.com/) from the date that Elaine Chao was sworn in to lead the Department of Transportation on January 31, 2017, through the date that this is processed.

I would like these records in electronic format transmitted via email or another digital format. Please refrain from sending paper copies of the records.

If you determine that any or all or the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information.

If you determine that some but not all the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested.

In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all the information is exempt and will not be disclosed.

Please waive any applicable fees. This information is being sought on behalf of Forbes Media for public dissemination.

I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees. As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone, rather than by mail, if you have questions regarding this request.



If I can provide any clarification that will help expedite your attention to my request, please contact me directly via phone: 212-367-3148, email: mtindera@forbes.com.

I look forward to your reply within 20 business days, as the statute requires, and an even prompter reply if you can make that determination without having to review the records in question.

Thank you for your time and attention to this matter.

Sincerely,

Michela Tindera Reporter, FORBES



From: Larimore, Andrew (MARAD)
Sent: 20 Jun 2019 15:27:26 +0000
To: Balzano, Richard (MARAD)

Subject: Accepted: FOIA Search Request: Foremost Group (Angela Chao)



From: Rudd, Alexis (Commerce)

Sent: 22 Jan 2019 20:33:11 +0000

To: Balzano, Richard (MARAD)

Subject: Approps bills

Attachments: Senate Spending Package.pdf

House bill: https://www.congress.gov/116/bills/hr648/BILLS-116hr648ih.pdf

I'm attaching the Senate Spending Package released Monday night.

Both have the same language for Title XI.

Alexis

Professional Staff | Senate Commerce Committee, Majority Staff 227 Hart Senate Office Building, Washington, DC 20515 (202) 224-8537



AM	IENDMENT NO Calendar No
Pu	rpose: In the nature of a substitute.
IN	THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.
	$(\mathrm{no.})___$
(title	e)
R	referred to the Committee on and ordered to be printed
	Ordered to lie on the table and to be printed
A	MENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by
Viz	CC
1	Strike all after the enacting clause and insert the fol-
2	lowing:
3	SECTION 1. SHORT TITLE.
4	This Act may be cited as the "End the Shutdown
5	and Secure the Border Act".
6	SEC. 2. TABLE OF CONTENTS.
	 Sec. 1. Short title. Sec. 2. Table of contents. Sec. 3. References. Sec. 4. Explanatory statement. Sec. 5. Statement of appropriations. Sec. 6. Availability of funds. DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019



Title I—Agricultural Programs

2

Title II—Farm Production and Conservation Programs

Title III—Rural Development Programs

Title IV—Domestic Food Programs

Title V—Foreign Assistance and Related Programs

Title VI—Related Agency and Food and Drug Administration

Title VII—General Provisions

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of Commerce

Title II—Department of Justice

Title III—Science

Title IV—Related Agencies

Title V—General Provisions

DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

Title I—Department of the Treasury

Title II—Executive Office of the President and Funds Appropriated to the President

Title III—The Judiciary

Title IV—District of Columbia

Title V—Independent Agencies

Title VI—General Provisions—This Act

Title VII—General Provisions—Government-wide

Title VIII—General Provisions—District of Columbia

DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019

Title I—Departmental Management, Operations, Intelligence, and Oversight

Title II—Security, Enforcement, and Investigations

Title III—Protection, Preparedness, Response, and Recovery

Title IV—Research, Development, Training, and Services

Title V—General Provisions

DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of the Interior

Title II—Environmental Protection Agency

Title III—Related Agencies

Title IV—General Provisions

DIVISION F—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019

Title I—Department of State and Related Agency

Title II—United States Agency for International Development

Title III—Bilateral Economic Assistance

Title IV—International Security Assistance

Title V—Multilateral Assistance

Title VI—Export and Investment Assistance

Title VII—General Provisions



Title VIII—Overseas Contingency Operations/Global War on Terrorism

DIVISION G—TRANSPORTATION, HOUSING AND URBAN DEVELOP-MENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of Transportation

Title II—Department of Housing and Urban Development

Title III—Related Agencies

Title IV—General Provisions—This Act

DIVISION H—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF, 2019

DIVISION I—EXTENSIONS, TECHNICAL CORRECTIONS, AND OTHER MATTERS

Title I—Immigration Extensions

Title II—Pesticide Registration Improvement Act Extension

Title III—Violence Against Women Act Extension

Title IV—Pandemic and All-Hazards Preparedness Extensions

Title V—Temporary Assistance for Needy Families Program Extension

Title VI—Technical Corrections

Title VII—Harbor Maintenance Trust Fund

Title VIII—Consumer Financial Protection Bureau Inspector General Reform

Title IX—Budgetary Effects

DIVISION J—VULNERABLE IMMIGRANTS PROTECTION AND SECURITY ACT

DIVISION K—PROVISIONAL PROTECTED PRESENCE FOR CERTAIN ALIENS IN THE UNITED STATES WHO PREVIOUSLY RECEIVED TEMPORARY PROTECTED STATUS

DIVISION L—PROTECTION OF CENTRAL AMERICAN MINORS

1 SEC. 3. REFERENCES TO ACT.

- 2 Except as expressly provided otherwise, any reference
- 3 to "this Act" contained in any division of this Act shall
- 4 be treated as referring only to the provisions of that divi-
- 5 sion.

6 SEC. 4. EXPLANATORY STATEMENT.

- 7 The explanatory statement regarding this Act, print-
- 8 ed in the Congressional Record on or about January 22,
- 9 2019, and submitted by the Chairman of the Committee
- 10 on Appropriations, shall have the same effect with respect



- 1 to the allocation of funds and implementation of divisions
- 2 A through G of this Act as if it were a joint explanatory
- 3 statement of a committee of conference.
- 4 SEC. 5. STATEMENT OF APPROPRIATIONS.
- 5 The following sums in this Act are appropriated, out
- 6 of any money in the Treasury not otherwise appropriated,
- 7 for the fiscal year ending September 30, 2019.
- 8 SEC. 6. AVAILABILITY OF FUNDS.
- 9 Each amount designated in this Act by the Congress
- 10 for Overseas Contingency Operations/Global War on Ter-
- 11 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
- 12 anced Budget and Emergency Deficit Control Act of 1985
- 13 shall be available (or rescinded, if applicable) only if the
- 14 President subsequently so designates all such amounts
- 15 and transmits such designations to the Congress.



1	DIVISION A—AGRICULTURE, RURAL DE-
2	VELOPMENT, FOOD AND DRUG ADMIN-
3	ISTRATION, AND RELATED AGENCIES
4	APPROPRIATIONS ACT, 2019
5	TITLE I
6	AGRICULTURAL PROGRAMS
7	Processing, Research, and Marketing
8	OFFICE OF THE SECRETARY
9	(INCLUDING TRANSFERS OF FUNDS)
10	For necessary expenses of the Office of the Secretary,
11	\$46,603,000, of which not to exceed $$5,051,000$ shall be
12	available for the immediate Office of the Secretary; not
13	to exceed $\$800,000$ shall be available for the Office of the
14	Assistant to the Secretary for Rural Development: $Pro-$
15	vided, That funds made available by this Act to an agency
16	in the Rural Development mission area for salaries and
17	expenses are available to fund up to one administrative
18	support staff for the Office; not to exceed $\$1,496,000$ shall
19	be available for the Office of Homeland Security; not to
20	exceed $\$4,711,000$ shall be available for the Office of Part-
21	nerships and Public Engagement; not to exceed
22	\$23,176,000 shall be available for the Office of the Assist-
23	ant Secretary for Administration, of which \$22,301,000
24	shall be available for Departmental Administration to pro-
25	vide for necessary expenses for management support serv-



1	ices to offices of the Department and for general adminis-
2	tration, security, repairs and alterations, and other mis-
3	cellaneous supplies and expenses not otherwise provided
4	for and necessary for the practical and efficient work of
5	the Department: Provided further, That funds made avail-
6	able by this Act to an agency in the Administration mis-
7	sion area for salaries and expenses are available to fund
8	up to one administrative support staff for the Office; not
9	to exceed \$3,869,000 shall be available for the Office of
10	Assistant Secretary for Congressional Relations to carry
11	out the programs funded by this Act, including programs
12	involving intergovernmental affairs and liaison within the
13	executive branch; and not to exceed \$7,500,000 shall be
14	available for the Office of Communications: Provided fur-
15	ther, That the Secretary of Agriculture is authorized to
16	transfer funds appropriated for any office of the Office
17	of the Secretary to any other office of the Office of the
18	Secretary: Provided further, That no appropriation for any
19	office shall be increased or decreased by more than 5 per-
20	cent: Provided further, That not to exceed \$22,000 of the
21	amount made available under this paragraph for the im-
22	mediate Office of the Secretary shall be available for offi-
23	cial reception and representation expenses, not otherwise
24	provided for, as determined by the Secretary: Provided
25	further. That the amount made available under this head-



1	ing for Departmental Administration shall be reimbursed
2	from applicable appropriations in this Act for travel ex-
3	penses incident to the holding of hearings as required by
4	5 U.S.C. 551–558: Provided further, That funds made
5	available under this heading for the Office of the Assistant
6	Secretary for Congressional Relations may be transferred
7	to agencies of the Department of Agriculture funded by
8	this Act to maintain personnel at the agency level: Pro-
9	vided further, That no funds made available under this
10	heading for the Office of Assistant Secretary for Congres-
11	sional Relations may be obligated after 30 days from the
12	date of enactment of this Act, unless the Secretary has
13	notified the Committees on Appropriations of both Houses
14	of Congress on the allocation of these funds by USDA
15	agency.
16	EXECUTIVE OPERATIONS
17	OFFICE OF THE CHIEF ECONOMIST
18	For necessary expenses of the Office of the Chief
19	Economist, \$21,286,000, of which \$5,000,000 shall be for
20	grants or cooperative agreements for policy research under
21	7 U.S.C. 3155.
22	OFFICE OF HEARINGS AND APPEALS
23	For necessary expenses of the Office of Hearings and
24	Appeals, \$15,222,000.



1	OFFICE OF BUDGET AND PROGRAM ANALYSIS
2	For necessary expenses of the Office of Budget and
3	Program Analysis, \$9,525,000.
4	OFFICE OF THE CHIEF INFORMATION OFFICER
5	For necessary expenses of the Office of the Chief In-
6	formation Officer, \$55,630,000, of which not less than
7	\$38,000,000 is for cybersecurity requirements of the de-
8	partment.
9	OFFICE OF THE CHIEF FINANCIAL OFFICER
10	For necessary expenses of the Office of the Chief Fi-
11	nancial Officer, \$6,028,000.
12	OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
13	RIGHTS
14	For necessary expenses of the Office of the Assistant
15	Secretary for Civil Rights, \$901,000: Provided, That
16	funds made available by this Act to an agency in the Civil
17	
	Rights mission area for salaries and expenses are available
18	Rights mission area for salaries and expenses are available to fund up to one administrative support staff for the Of-
18 19	
	to fund up to one administrative support staff for the Of-
19	to fund up to one administrative support staff for the Office.



1	AGRICULTURE BUILDINGS AND FACILITIES
2	(INCLUDING TRANSFERS OF FUNDS)
3	For payment of space rental and related costs pursu-
4	ant to Public Law 92–313, including authorities pursuant
5	to the 1984 delegation of authority from the Adminis-
6	trator of General Services to the Department of Agri-
7	culture under 40 U.S.C. 121, for programs and activities
8	of the Department which are included in this Act, and for
9	alterations and other actions needed for the Department
10	and its agencies to consolidate unneeded space into con-
11	figurations suitable for release to the Administrator of
12	General Services, and for the operation, maintenance, im-
13	provement, and repair of Agriculture buildings and facili-
14	ties, and for related costs, \$59,967,000, to remain avail-
15	able until expended.
16	HAZARDOUS MATERIALS MANAGEMENT
17	(INCLUDING TRANSFERS OF FUNDS)
18	For necessary expenses of the Department of Agri-
19	culture, to comply with the Comprehensive Environmental
20	Response, Compensation, and Liability Act (42 U.S.C.
21	9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C.
22	6901 et seq.), \$3,503,000, to remain available until ex-
23	pended: Provided, That appropriations and funds available
24	herein to the Department for Hazardous Materials Man-
25	agement may be transferred to any agency of the Depart-



- 1 ment for its use in meeting all requirements pursuant to
- 2 the above Acts on Federal and non-Federal lands.
- 3 Office of Inspector General
- 4 For necessary expenses of the Office of Inspector
- 5 General, including employment pursuant to the Inspector
- 6 General Act of 1978 (Public Law 95–452; 5 U.S.C. App.),
- 7 \$98,208,000, including such sums as may be necessary for
- 8 contracting and other arrangements with public agencies
- 9 and private persons pursuant to section 6(a)(9) of the In-
- 10 spector General Act of 1978 (Public Law 95–452; 5
- 11 U.S.C. App.), and including not to exceed \$125,000 for
- 12 certain confidential operational expenses, including the
- 13 payment of informants, to be expended under the direction
- 14 of the Inspector General pursuant to the Inspector Gen-
- 15 eral Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and
- 16 section 1337 of the Agriculture and Food Act of 1981
- 17 (Public Law 97–98).
- 18 Office of the General Counsel
- For necessary expenses of the Office of the General
- 20 Counsel, \$45,146,000.
- 21 Office of Ethics
- For necessary expenses of the Office of Ethics,
- 23 \$4,136,000.



1	Office of the Under Secretary for Research,							
2	Education, and Economics							
3	For necessary expenses of the Office of the Under							
4	Secretary for Research, Education, and Economics,							
5	\$800,000: <i>Provided</i> , That funds made available by this							
6	Act to an agency in the Research, Education, and Eco-							
7	nomics mission area for salaries and expenses are avail-							
8	able to fund up to one administrative support staff for							
9	the Office.							
10	ECONOMIC RESEARCH SERVICE							
11	For necessary expenses of the Economic Research							
12	Service, \$86,757,000.							
13	NATIONAL AGRICULTURAL STATISTICS SERVICE							
14	For necessary expenses of the National Agricultural							
15	Statistics Service, $$174,517,000$, of which up to							
16	$\$45,\!300,\!000$ shall be available until expended for the Cen-							
17	sus of Agriculture: $Provided$, That amounts made available							
18	for the Census of Agriculture may be used to conduct Cur-							
19	rent Industrial Report surveys subject to 7 U.S.C.							
20	2204g(d) and (f).							
21	AGRICULTURAL RESEARCH SERVICE							
22	SALARIES AND EXPENSES							
23	For necessary expenses of the Agricultural Research							
24	Service and for acquisition of lands by donation, exchange,							
25	or purchase at a nominal cost not to exceed \$100, and							



1	for land exchanges where the lands exchanged shall be of
2	equal value or shall be equalized by a payment of money
3	to the grantor which shall not exceed 25 percent of the
4	total value of the land or interests transferred out of Fed-
5	eral ownership, $\$1,303,266,000$, of which $\$10,600,000$, to
6	remain available until expended, shall be used to carry out
7	the science program at the National Bio- and Agro-de-
8	${\it fense \ Facility \ located \ in \ Manhattan, \ Kansas: } {\it Provided},$
9	That appropriations hereunder shall be available for the
10	operation and maintenance of aircraft and the purchase
11	of not to exceed one for replacement only: $Provided\ fur-$
12	$\it ther, {\it That appropriations hereunder shall be available pur-$
13	suant to 7 U.S.C. 2250 for the construction, alteration,
14	and repair of buildings and improvements, but unless oth-
15	erwise provided, the cost of constructing any one building
16	shall not exceed $$500,000$, except for headhouses or green-
17	houses which shall each be limited to $$1,800,000$, except
18	for 10 buildings to be constructed or improved at a cost
19	not to exceed $$1,100,000$ each, and except for two build-
20	ings to be constructed at a cost not to exceed $\$3,000,000$
21	each, and the cost of altering any one building during the
22	fiscal year shall not exceed 10 percent of the current re-
23	placement value of the building or \$500,000, whichever
24	is greater: Provided further, That appropriations here-
25	under shall be available for entering into lease agreements



1	at any Agricultural Research Service location for the con-
2	struction of a research facility by a non-Federal entity for
3	use by the Agricultural Research Service and a condition
4	of the lease shall be that any facility shall be owned, oper-
5	ated, and maintained by the non-Federal entity and shall
6	be removed upon the expiration or termination of the lease
7	agreement: Provided further, That the limitations on alter-
8	ations contained in this Act shall not apply to moderniza-
9	tion or replacement of existing facilities at Beltsville,
10	Maryland: Provided further, That appropriations here-
11	under shall be available for granting easements at the
12	Beltsville Agricultural Research Center: Provided further,
13	That the foregoing limitations shall not apply to replace-
14	ment of buildings needed to carry out the Act of April
15	24, 1948 (21 U.S.C. 113a): Provided further, That appro-
16	priations hereunder shall be available for granting ease-
17	ments at any Agricultural Research Service location for
18	the construction of a research facility by a non-Federal
19	entity for use by, and acceptable to, the Agricultural Re-
20	search Service and a condition of the easements shall be
21	that upon completion the facility shall be accepted by the
22	Secretary, subject to the availability of funds herein, if the
23	Secretary finds that acceptance of the facility is in the
24	interest of the United States: Provided further, That funds



25 may be received from any State, other political subdivi-

•		Contract to the contract of th			6	1 1			
	CION	organization,	OF	individual	tor	the	nurnage	O.T	octah-
	oron,	organization,	OI	marriaga	TOT	ULIC	purpose	OI	Couan-

- 2 lishing or operating any research facility or research
- 3 project of the Agricultural Research Service, as authorized
- 4 by law.

5 BUILDINGS AND FACILITIES

- 6 For the acquisition of land, construction, repair, im-
- 7 provement, extension, alteration, and purchase of fixed
- 8 equipment or facilities as necessary to carry out the agri-
- 9 cultural research programs of the Department of Agri-
- 10 culture, where not otherwise provided, \$381,200,000 to re-
- 11 main available until expended, of which \$247,700,000
- 12 shall be allocated for ARS facilities co-located with univer-
- 13 sity partners.
- 14 National Institute of Food and Agriculture
- 15 RESEARCH AND EDUCATION ACTIVITIES
- 16 For payments to agricultural experiment stations, for
- 17 cooperative forestry and other research, for facilities, and
- 18 for other expenses, \$927,649,000, which shall be for the
- 19 purposes, and in the amounts, specified in the table titled
- 20 "National Institute of Food and Agriculture, Research
- 21 and Education Activities" in the joint explanatory state-
- 22 ment accompanying this Act: Provided, That funds for re-
- 23 search grants for 1994 institutions, education grants for
- 24 1890 institutions, capacity building for non-land-grant
- 25 colleges of agriculture, the agriculture and food research



- 1 initiative, veterinary medicine loan repayment, multicul-
- 2 tural scholars, graduate fellowship and institution chal-
- 3 lenge grants, and grants management systems shall re-
- 4 main available until expended: Provided further, That each
- 5 institution eligible to receive funds under the Evans-Allen
- 6 program receives no less than \$1,000,000: Provided fur-
- 7 ther, That funds for education grants for Alaska Native
- 8 and Native Hawaiian-serving institutions be made avail-
- 9 able to individual eligible institutions or consortia of eligi-
- 10 ble institutions with funds awarded equally to each of the
- 11 States of Alaska and Hawaii: Provided further, That funds
- 12 for education grants for 1890 institutions shall be made
- 13 available to institutions eligible to receive funds under 7
- 14 U.S.C. 3221 and 3222: Provided further, That not more
- 15 than 5 percent of the amounts made available by this or
- 16 any other Act to carry out the Agriculture and Food Re-
- 17 search Initiative under 7 U.S.C. 450i(b) may be retained
- 18 by the Secretary of Agriculture to pay administrative costs
- 19 incurred by the Secretary in carrying out that authority.
- 20 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND
- 21 For the Native American Institutions Endowment
- 22 Fund authorized by Public Law 103–382 (7 U.S.C. 301
- 23 note), \$11,880,000, to remain available until expended.



1	EXTENSION ACTIVITIES
2	For payments to States, the District of Columbia,
3	Puerto Rico, Guam, the Virgin Islands, Micronesia, the
4	Northern Marianas, and American Samoa, \$505,692,000,
5	which shall be for the purposes, and in the amounts, speci-
6	fied in the table titled "National Institute of Food and
7	Agriculture, Extension Activities" in the joint explanatory
8	statement accompanying this Act: Provided, That funds
9	for facility improvements at 1890 institutions shall remain
10	available until expended: Provided further, That institu-
11	tions eligible to receive funds under 7 U.S.C. 3221 for co-
12	operative extension receive no less than \$1,000,000: Pro-
13	vided further, That funds for cooperative extension under
14	sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C.
15	343(b) and (c)) and section 208(c) of Public Law 93–471
16	shall be available for retirement and employees' compensa-
17	tion costs for extension agents.
18	INTEGRATED ACTIVITIES
19	For the integrated research, education, and extension
20	grants programs, including necessary administrative ex-
21	penses, \$38,000,000, which shall be for the purposes, and
22	in the amounts, specified in the table titled "National In-
23	stitute of Food and Agriculture, Integrated Activities" in
24	the joint explanatory statement accompanying this Act:
25	Provided. That funds for the Food and Agriculture De-



1	fense	Initiative	shall	remain	available	until	Septembe:	r 30.
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- 2 2020: Provided further, That notwithstanding any other
- 3 provision of law, indirect costs shall not be charged
- 4 against any Extension Implementation Program Area
- 5 grant awarded under the Crop Protection/Pest Manage-
- 6 ment Program (7 U.S.C. 7626).
- 7 OFFICE OF THE UNDER SECRETARY FOR MARKETING
- 8 AND REGULATORY PROGRAMS
- 9 For necessary expenses of the Office of the Under
- 10 Secretary for Marketing and Regulatory Programs,
- 11 \$901,000: Provided, That funds made available by this
- 12 Act to an agency in the Marketing and Regulatory Pro-
- 13 grams mission area for salaries and expenses are available
- 14 to fund up to one administrative support staff for the Of-
- 15 fice.
- 16 Animal and Plant Health Inspection Service
- 17 SALARIES AND EXPENSES
- 18 (INCLUDING TRANSFERS OF FUNDS)
- 19 For necessary expenses of the Animal and Plant
- 20 Health Inspection Service, including up to \$30,000 for
- 21 representation allowances and for expenses pursuant to
- 22 the Foreign Service Act of 1980 (22 U.S.C. 4085),
- 23 \$1,011,136,000, of which \$470,000, to remain available
- 24 until expended, shall be available for the control of out-
- 25 breaks of insects, plant diseases, animal diseases and for



1	control of pest animals and birds ("contingency fund") to
2	the extent necessary to meet emergency conditions; of
3	which $$11,520,000$, to remain available until expended,
4	shall be used for the cotton pests program for cost share
5	purposes or for debt retirement for active eradication
6	zones; of which $\$37,857,000$, to remain available until ex-
7	pended, shall be for Animal Health Technical Services; of
8	which $$705,000$ shall be for activities under the authority
9	of the Horse Protection Act of 1970, as amended (15
10	U.S.C. 1831); of which $$62,840,000$, to remain available
11	until expended, shall be used to support avian health; of
12	which $\$4,251,000$, to remain available until expended,
13	shall be for information technology infrastructure; of
14	which $$186,013,000$, to remain available until expended,
15	shall be for specialty crop pests; of which, $$11,826,000$,
16	to remain available until expended, shall be for field crop
17	and rangeland ecosystem pests; of which \$16,523,000, to
18	remain available until expended, shall be for zoonotic dis-
19	ease management; of which \$40,966,000, to remain avail-
20	able until expended, shall be for emergency preparedness
21	and response; of which $$60,000,000$, to remain available
22	until expended, shall be for tree and wood pests; of which
23	\$5,725,000, to remain available until expended, shall be
24	for the National Veterinary Stockpile; of which up to
25	\$1,500,000, to remain available until expended, shall be



1	for the scrapie program for indemnities; of which
2	\$2,500,000, to remain available until expended, shall be
3	for the wildlife damage management program for aviation
4	safety: Provided, That of amounts available under this
5	heading for wildlife services methods development,
6	\$1,000,000 shall remain available until expended: $Pro-$
7	vided further, That of amounts available under this head-
8	ing for the screwworm program, \$4,990,000 shall remain
9	available until expended; of which \$13,600,000, to remain
10	available until expended, shall be used to carry out the
11	science program at the National Bio- and Agro-defense
12	Facility located in Manhattan, Kansas: Provided further,
13	That no funds shall be used to formulate or administer
14	a brucellosis eradication program for the current fiscal
15	year that does not require minimum matching by the
16	States of at least 40 percent: Provided further, That this
17	appropriation shall be available for the operation and
18	maintenance of aircraft and the purchase of not to exceed
19	five, of which two shall be for replacement only: $Provided$
20	further, That in addition, in emergencies which threaten
21	any segment of the agricultural production industry of the
22	United States, the Secretary may transfer from other ap-
23	propriations or funds available to the agencies or corpora-
24	tions of the Department such sums as may be deemed nec-
25	essary, to be available only in such emergencies for the



- 1 arrest and eradication of contagious or infectious disease
- 2 or pests of animals, poultry, or plants, and for expenses
- 3 in accordance with sections 10411 and 10417 of the Ani-
- 4 mal Health Protection Act (7 U.S.C. 8310 and 8316) and
- 5 sections 431 and 442 of the Plant Protection Act (7
- 6 U.S.C. 7751 and 7772), and any unexpended balances of
- 7 funds transferred for such emergency purposes in the pre-
- 8 ceding fiscal year shall be merged with such transferred
- 9 amounts: Provided further, That appropriations hereunder
- 10 shall be available pursuant to law (7 U.S.C. 2250) for the
- 11 repair and alteration of leased buildings and improve-
- 12 ments, but unless otherwise provided the cost of altering
- 13 any one building during the fiscal year shall not exceed
- 14 10 percent of the current replacement value of the build-
- 15 ing.
- 16 In fiscal year 2019, the agency is authorized to collect
- 17 fees to cover the total costs of providing technical assist-
- 18 ance, goods, or services requested by States, other political
- 19 subdivisions, domestic and international organizations,
- 20 foreign governments, or individuals, provided that such
- 21 fees are structured such that any entity's liability for such
- 22 fees is reasonably based on the technical assistance, goods,
- 23 or services provided to the entity by the agency, and such
- 24 fees shall be reimbursed to this account, to remain avail-



1	able until expended, without further appropriation, for
2	providing such assistance, goods, or services.
3	BUILDINGS AND FACILITIES
4	For plans, construction, repair, preventive mainte-
5	nance, environmental support, improvement, extension, al-
6	teration, and purchase of fixed equipment or facilities, as
7	authorized by 7 U.S.C. 2250, and acquisition of land as
8	authorized by 7 U.S.C. 428a, $\$3,175,000$, to remain avail-
9	able until expended.
10	AGRICULTURAL MARKETING SERVICE
11	MARKETING SERVICES
12	For necessary expenses of the Agricultural Marketing
13	Service, $\$159,095,000$, of which $\$4,000,000$ shall be avail-
14	able for the purposes of section 12306 of Public Law 113 $-$
15	79; and of which $$1,500,000$ shall be available for mar-
16	keting activities authorized under section 204(b) of the
17	Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b))
18	to provide to State departments of agriculture, State coop-
19	erative extension services, institutions of higher education, ${\bf r}$
20	and nonprofit organizations grants to carry out programs
21	and provide technical assistance to promote innovation,
22	process improvement, and marketing relating to dairy
23	products: $Provided$, That this appropriation shall be avail-
24	able pursuant to law (7 U.S.C. 2250) for the alteration
25	and repair of buildings and improvements, but the cost



- 1 of altering any one building during the fiscal year shall
- 2 not exceed 10 percent of the current replacement value
- 3 of the building.
- 4 Fees may be collected for the cost of standardization
- 5 activities, as established by regulation pursuant to law (31
- 6 U.S.C. 9701).
- 7 LIMITATION ON ADMINISTRATIVE EXPENSES
- 8 Not to exceed \$61,227,000 (from fees collected) shall
- 9 be obligated during the current fiscal year for administra-
- 10 tive expenses: *Provided*, That if crop size is understated
- 11 and/or other uncontrollable events occur, the agency may
- 12 exceed this limitation by up to 10 percent with notification
- 13 to the Committees on Appropriations of both Houses of
- 14 Congress.
- 15 Funds for strengthening markets, income, and
- 16 SUPPLY (SECTION 32)
- 17 (INCLUDING TRANSFERS OF FUNDS)
- Funds available under section 32 of the Act of Au-
- 19 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
- 20 modity program expenses as authorized therein, and other
- 21 related operating expenses, except for: (1) transfers to the
- 22 Department of Commerce as authorized by the Fish and
- 23 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-
- 24 fers otherwise provided in this Act; and (3) not more than
- 25 \$20,705,000 for formulation and administration of mar-



- 1 keting agreements and orders pursuant to the Agricultural
- 2 Marketing Agreement Act of 1937 and the Agricultural
- 3 Act of 1961 (Public Law 87–128).
- 4 PAYMENTS TO STATES AND POSSESSIONS
- 5 For payments to departments of agriculture, bureaus
- 6 and departments of markets, and similar agencies for
- 7 marketing activities under section 204(b) of the Agricul-
- 8 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
- 9 \$1,235,000.
- 10 LIMITATION ON INSPECTION AND WEIGHING SERVICES
- 11 EXPENSES
- Not to exceed \$55,000,000 (from fees collected) shall
- 13 be obligated during the current fiscal year for inspection
- 14 and weighing services: Provided, That if grain export ac-
- 15 tivities require additional supervision and oversight, or
- 16 other uncontrollable factors occur, this limitation may be
- 17 exceeded by up to 10 percent with notification to the Com-
- 18 mittees on Appropriations of both Houses of Congress.
- 19 Office of the Under Secretary for Food Safety
- For necessary expenses of the Office of the Under
- 21 Secretary for Food Safety, \$800,000: Provided, That
- 22 funds made available by this Act to an agency in the Food
- 23 Safety mission area for salaries and expenses are available
- 24 to fund up to one administrative support staff for the Of-
- 25 fice.



1	FOOD SAFETY AND INSPECTION SERVICE
2	For necessary expenses to carry out services author-
3	ized by the Federal Meat Inspection Act, the Poultry
4	Products Inspection Act, and the Egg Products Inspection
5	Act, including not to exceed $$10,000$ for representation
6	allowances and for expenses pursuant to section 8 of the
7	Act approved August 3, 1956 (7 U.S.C. 1766),
8	1,049,344,000; and in addition, $1,000,000$ may be cred-
9	ited to this account from fees collected for the cost of lab-
10	oratory accreditation as authorized by section 1327 of the
11	Food, Agriculture, Conservation and Trade Act of 1990
12	(7 U.S.C. 138f): $Provided$, That funds provided for the
13	Public Health Data Communication Infrastructure system
14	${\it shall remain available until expended: } \textit{Provided further},$
15	That no fewer than 148 full-time equivalent positions shall
16	be employed during fiscal year 2019 for purposes dedi-
17	cated solely to inspections and enforcement related to the
18	Humane Methods of Slaughter Act (7 U.S.C. 1901 et
19	seq.): $Provided\ further,\ That\ the\ Food\ Safety\ and\ Inspec-$
20	tion Service shall continue implementation of section
21	11016 of Public Law $110-246$ as further clarified by the
22	amendments made in section 12106 of Public Law $113-$
23	79: Provided further, That this appropriation shall be
24	available pursuant to law (7 U.S.C. 2250) for the alter-
25	ation and repair of buildings and improvements, but the



- 1 cost of altering any one building during the fiscal year
- 2 shall not exceed 10 percent of the current replacement
- 3 value of the building.



1	TITLE II
2	FARM PRODUCTION AND CONSERVATION
3	PROGRAMS
4	OFFICE OF THE UNDER SECRETARY FOR FARM
5	Production and Conservation
6	For necessary expenses of the Office of the Under
7	Secretary for Farm Production and Conservation
8	\$901,000: Provided, That funds made available by this
9	Act to an agency in the Farm Production and Conserva
10	tion mission area for salaries and expenses are available
11	to fund up to one administrative support staff for the Of
12	fice.
13	FARM PRODUCTION AND CONSERVATION BUSINESS
14	CENTER
15	SALARIES AND EXPENSES
16	(INCLUDING TRANSFERS OF FUNDS)
17	For necessary expenses of the Farm Production and
18	Conservation Business Center, \$216,350,000: Provided
19	That \$60,228,000 of amounts appropriated for the cur-
20	rent fiscal year pursuant to section 1241(a) of the Farm
21	Security and Rural Investment Act of 1985 (16 U.S.C
22	3841(a)) shall be transferred to and merged with this ac
23	count.



1	FARM SERVICE AGENCY
2	SALARIES AND EXPENSES
3	(INCLUDING TRANSFERS OF FUNDS)
4	For necessary expenses of the Farm Service Agency,
5	$\$1,\!081,\!655,\!000,$ of which not less than $\$20,\!000,\!000$ shall
6	be for the hiring of new employees to fill vacancies at
7	Farm Service Agency county offices and farm loan officers
8	and shall be available until September 30, 2020: $Provided$,
9	That not more than 50 percent of the funding made avail-
10	able under this heading for information technology may
11	be obligated until the Secretary submits to the Committees
12	on Appropriations of both Houses of Congress, and re-
13	ceives written or electronic notification of receipt from
14	such Committees of, a plan for expenditure that (1) identi-
15	fies for each project/investment over $\$25{,}000$ (a) the func-
16	tional and performance capabilities to be delivered and the
17	mission benefits to be realized, (b) the estimated lifecycle
18	cost for the entirety of the project/investment, including
19	estimates for development as well as maintenance and op-
20	erations, and (c) key milestones to be met; (2) dem-
21	onstrates that each project/investment is, (a) consistent
22	with the Farm Service Agency Information Technology
23	Roadmap, (b) being managed in accordance with applica-
24	ble lifecycle management policies and guidance, and (c)
25	subject to the applicable Department's capital planning



1	and investment control requirements; and (3) has been re-
2	viewed by the Government Accountability Office and ap-
3	proved by the Committees on Appropriations of both
4	Houses of Congress: Provided further, That the agency
5	shall submit a report by the end of the fourth quarter of
6	fiscal year 2019 to the Committees on Appropriations and
7	the Government Accountability Office, that identifies for
8	each project/investment that is operational (a) current
9	performance against key indicators of customer satisfac-
10	tion, (b) current performance of service level agreements
11	or other technical metrics, (c) current performance against
12	a pre-established cost baseline, (d) a detailed breakdown
13	of current and planned spending on operational enhance-
14	ments or upgrades, and (e) an assessment of whether the
15	investment continues to meet business needs as intended
16	as well as alternatives to the investment: $Provided\ further,$
17	That the Secretary is authorized to use the services, facili-
18	ties, and authorities (but not the funds) of the Commodity
19	Credit Corporation to make program payments for all pro-
20	grams administered by the Agency: $Provided\ further,\ That$
21	other funds made available to the Agency for authorized
22	activities may be advanced to and merged with this ac-
23	count: Provided further, That funds made available to
24	$county\ committees\ shall\ remain\ available\ until\ expended:$
25	Provided further, That none of the funds available to the



1	Farm	Service	Agency s	shall h	e used	to c	lose F	'arm	Service
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- 2 Agency county offices: Provided further, That none of the
- 3 funds available to the Farm Service Agency shall be used
- 4 to permanently relocate county based employees that
- 5 would result in an office with two or fewer employees with-
- 6 out prior notification and approval of the Committees on
- 7 Appropriations of both Houses of Congress.
- 8 STATE MEDIATION GRANTS
- 9 For grants pursuant to section 502(b) of the Agricul-
- 10 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
- 11 5106), \$3,904,000.
- 12 GRASSROOTS SOURCE WATER PROTECTION PROGRAM
- 13 For necessary expenses to carry out wellhead or
- 14 groundwater protection activities under section 1240O of
- 15 the Food Security Act of 1985 (16 U.S.C. 3839bb-2),
- 16 \$6,500,000, to remain available until expended.
- 17 DAIRY INDEMNITY PROGRAM
- 18 (INCLUDING TRANSFER OF FUNDS)
- 19 For necessary expenses involved in making indemnity
- 20 payments to dairy farmers and manufacturers of dairy
- 21 products under a dairy indemnity program, such sums as
- 22 may be necessary, to remain available until expended: Pro-
- 23 vided, That such program is carried out by the Secretary
- 24 in the same manner as the dairy indemnity program de-
- 25 scribed in the Agriculture, Rural Development, Food and



1	Drug	Administration,	and	Related	Agencies	Appropria-
-			····			

- 2 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
- 3 12).
- 4 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM
- 5 ACCOUNT
- 6 (INCLUDING TRANSFERS OF FUNDS)
- 7 For gross obligations for the principal amount of di-
- 8 rect and guaranteed farm ownership (7 U.S.C. 1922 et
- 9 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-
- 10 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-
- 11 quisition loans (25 U.S.C. 488), boll weevil loans (7
- 12 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.
- 13 1924 et seq.), and Indian highly fractionated land loans
- 14 (25 U.S.C. 488) to be available from funds in the Agricul-
- 15 tural Credit Insurance Fund, as follows: \$2,750,000,000
- 16 for guaranteed farm ownership loans and \$1,500,000,000
- 17 for farm ownership direct loans; \$1,960,000,000 for un-
- 18 subsidized guaranteed operating loans and
- 19 \$1,530,000,000 for direct operating loans; emergency
- 20 loans, \$37,668,000; Indian tribe land acquisition loans,
- 21 \$20,000,000; guaranteed conservation loans,
- 22 \$150,000,000; Indian highly fractionated land loans,
- 23 \$10,000,000; and for boll weevil eradication program
- 24 loans, \$30,000,000: Provided, That the Secretary shall



- 1 deem the pink bollworm to be a boll weevil for the purpose
- 2 of boll weevil eradication program loans.
- 3 For the cost of direct and guaranteed loans and
- 4 grants, including the cost of modifying loans as defined
- 5 in section 502 of the Congressional Budget Act of 1974,
- 6 as follows: farm operating loans, \$59,670,000 for direct
- 7 operating loans, \$21,168,000 for unsubsidized guaranteed
- 8 operating loans, emergency loans, \$1,567,000 and
- 9 \$2,134,000 for Indian highly fractionated land loans to
- 10 remain available until expended.
- 11 In addition, for administrative expenses necessary to
- 12 carry out the direct and guaranteed loan programs,
- 13 \$317,068,000: *Provided*, That of this amount,
- 14 \$290,917,000 shall be transferred to and merged with the
- 15 appropriation for "Farm Service Agency, Salaries and Ex-
- 16 penses": Provided further, That of this amount
- 17 \$16,081,000 shall be transferred to and merged with the
- 18 appropriation for "Farm Production and Conservation
- 19 Business Center, Salaries and Expenses".
- Funds appropriated by this Act to the Agricultural
- 21 Credit Insurance Program Account for farm ownership,
- 22 operating and conservation direct loans and guaranteed
- 23 loans may be transferred among these programs: Pro-
- 24 vided, That the Committees on Appropriations of both



1	Houses of Congress are notified at least 15 days in ad-
2	vance of any transfer.
3	RISK MANAGEMENT AGENCY
4	SALARIES AND EXPENSES
5	For necessary expenses of the Risk Management
6	Agency, \$58,361,000: Provided, That not to exceed
7	\$1,000 shall be available for official reception and rep-
8	resentation expenses, as authorized by 7 U.S.C. 1506(i)
9	NATURAL RESOURCES CONSERVATION SERVICE
10	CONSERVATION OPERATIONS
11	For necessary expenses for carrying out the provi-
12	sions of the Act of April 27, 1935 (16 U.S.C. 590a-f)
13	including preparation of conservation plans and establish-
14	ment of measures to conserve soil and water (including
15	farm irrigation and land drainage and such special meas-
16	ures for soil and water management as may be necessary
17	to prevent floods and the siltation of reservoirs and to con-
18	trol agricultural related pollutants); operation of conserva-
19	tion plant materials centers; classification and mapping of
20	soil; dissemination of information; acquisition of lands
21	water, and interests therein for use in the plant materials
22	program by donation, exchange, or purchase at a nominal
23	cost not to exceed \$100 pursuant to the Act of August
24	3, 1956 (7 U.S.C. 428a); purchase and erection or alter-
25	ation or improvement of permanent and temporary build-



- 1 ings; and operation and maintenance of aircraft,
- 2 \$819,492,000, to remain available until September 30,
- 3 2020: Provided, That appropriations hereunder shall be
- 4 available pursuant to 7 U.S.C. 2250 for construction and
- 5 improvement of buildings and public improvements at
- 6 plant materials centers, except that the cost of alterations
- 7 and improvements to other buildings and other public im-
- 8 provements shall not exceed \$250,000: Provided further,
- 9 That when buildings or other structures are erected on
- 10 non-Federal land, that the right to use such land is ob-
- 11 tained as provided in 7 U.S.C. 2250a: Provided further,
- 12 That of the amounts made available under this heading,
- 13 \$5,600,000, shall remain available until expended for the
- 14 authorities under 16 U.S.C. 1001-1005 and 1007-1009
- 15 for authorized ongoing watershed projects with a primary
- 16 purpose of providing water to rural communities.
- WATERSHED AND FLOOD PREVENTION OPERATIONS
- 18 For necessary expenses to carry out preventive meas-
- 19 ures, including but not limited to surveys and investiga-
- 20 tions, engineering operations, works of improvement, and
- 21 changes in use of land, in accordance with the Watershed
- 22 Protection and Flood Prevention Act (16 U.S.C. 1001–
- 23 1005 and 1007-1009) and in accordance with the provi-
- 24 sions of laws relating to the activities of the Department,
- 25 \$150,000,000, to remain available until expended: Pro-



- 1 vided, That for funds provided by this Act or any other
- 2 prior Act, the limitation regarding the size of the water-
- 3 shed or subwatershed exceeding two hundred and fifty
- 4 thousand acres in which such activities can be undertaken
- 5 shall only apply for activities undertaken for the primary
- 6 purpose of flood prevention (including structural and land
- 7 treatment measures): Provided further, That of the
- 8 amounts made available under this heading, \$50,000,000
- 9 shall be allocated to projects and activities that can com-
- 10 mence promptly following enactment; that address re-
- 11 gional priorities for flood prevention, agricultural water
- 12 management, inefficient irrigation systems, fish and wild-
- 13 life habitat, or watershed protection; or that address au-
- 14 thorized ongoing projects under the authorities of section
- 15 13 of the Flood Control Act of December 22, 1944 (Public
- 16 Law 78-534) with a primary purpose of watershed protec-
- 17 tion by preventing floodwater damage and stabilizing
- 18 stream channels, tributaries, and banks to reduce erosion
- 19 and sediment transport.
- 20 WATERSHED REHABILITATION PROGRAM
- 21 Under the authorities of section 14 of the Watershed
- 22 Protection and Flood Prevention Act, \$10,000,000 is pro-
- 23 vided: Provided, That of the amounts made available
- 24 under this heading, \$5,000,000 shall remain available
- 25 until expended for watershed rehabilitation projects in



1	states with high-hazard dams and other watershed struc-
2	tures and that have recently incurred flooding events
3	which caused fatalities.
4	CORPORATIONS
5	The following corporations and agencies are hereby
6	authorized to make expenditures, within the limits of
7	funds and borrowing authority available to each such cor-
8	poration or agency and in accord with law, and to make
9	contracts and commitments without regard to fiscal year
10	limitations as provided by section 104 of the Government
11	Corporation Control Act as may be necessary in carrying
12	out the programs set forth in the budget for the current
13	fiscal year for such corporation or agency, except as here-
14	inafter provided.
15	FEDERAL CROP INSURANCE CORPORATION FUND
16	For payments as authorized by section 516 of the
17	Federal Crop Insurance Act (7 U.S.C. 1516), such sums
18	as may be necessary, to remain available until expended.
19	COMMODITY CREDIT CORPORATION FUND
20	REIMBURSEMENT FOR NET REALIZED LOSSES
21	(INCLUDING TRANSFERS OF FUNDS)
22	For the current fiscal year, such sums as may be nec-
23	essary to reimburse the Commodity Credit Corporation for
24	net realized losses sustained, but not previously reim-
25	bursed, pursuant to section 2 of the Act of August 17.



- 1 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
- 2 available to the Commodity Credit Corporation under sec-
- 3 tion 11 of the Commodity Credit Corporation Charter Act
- 4 (15 U.S.C. 714i) for the conduct of its business with the
- 5 Foreign Agricultural Service, up to \$5,000,000 may be
- 6 transferred to and used by the Foreign Agricultural Serv-
- 7 ice for information resource management activities of the
- 8 Foreign Agricultural Service that are not related to Com-
- 9 modity Credit Corporation business.
- 10 HAZARDOUS WASTE MANAGEMENT
- 11 (LIMITATION ON EXPENSES)
- 12 For the current fiscal year, the Commodity Credit
- 13 Corporation shall not expend more than \$5,000,000 for
- 14 site investigation and cleanup expenses, and operations
- 15 and maintenance expenses to comply with the requirement
- 16 of section 107(g) of the Comprehensive Environmental
- 17 Response, Compensation, and Liability Act (42 U.S.C.
- 18 9607(g)), and section 6001 of the Solid Waste Disposal
- 19 Act (42 U.S.C. 6961).

1	TITLE III
2	RURAL DEVELOPMENT PROGRAMS
3	RURAL DEVELOPMENT
4	SALARIES AND EXPENSES
5	(INCLUDING TRANSFERS OF FUNDS)
6	For necessary expenses for carrying out the adminis-
7	tration and implementation of Rural Development pro-
8	grams, including activities with institutions concerning the
9	development and operation of agricultural cooperatives;
10	and for cooperative agreements; $\$236,835,000$: Provided,
11	That no less than \$6,000,000 shall be for information
12	technology investments: Provided further, That notwith-
13	standing any other provision of law, funds appropriated
14	under this heading may be used for advertising and pro-
15	motional activities that support Rural Development pro-
16	grams: Provided further, That in addition to any other
17	funds appropriated for purposes authorized by section
18	502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)),
19	any amounts collected under such section, as amended by
20	this Act, will immediately be credited to this account and
21	will remain available until expended for such purposes.



1	RURAL HOUSING SERVICE
2	RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT
3	(INCLUDING TRANSFERS OF FUNDS)
4	For gross obligations for the principal amount of di-
5	rect and guaranteed loans as authorized by title V of the
6	Housing Act of 1949, to be available from funds in the
7	rural housing insurance fund, as follows: \$1,000,000,000
8	shall be for direct loans and \$24,000,000,000 shall be for
9	unsubsidized guaranteed loans; \$28,000,000 for section
10	504 housing repair loans; \$40,000,000 for section 515
11	rental housing; \$230,000,000 for section 538 guaranteed
12	multi-family housing loans; \$10,000,000 for credit sales
13	of single family housing acquired property; \$5,000,000 for
14	section 523 self-help housing land development loans; and
15	\$5,000,000 for section 524 site development loans.
16	For the cost of direct and guaranteed loans, including
17	the cost of modifying loans, as defined in section 502 of
18	the Congressional Budget Act of 1974, as follows: section
19	502 loans, \$67,700,000 shall be for direct loans; section
20	504 housing repair loans, \$3,419,000; section 523 self-
21	help housing land development loans, \$431,000; section
22	524 site development loans, \$176,000; and repair, reha-
23	bilitation, and new construction of section 515 rental
24	housing, \$9,484,000: Provided, That to support the loan
25	program level for section 528 guaranteed loans made



1	available under this heading the Secretary may charge or
2	adjust any fees to cover the projected cost of such loan
3	guarantees pursuant to the provisions of the Credit Re-
4	form Act of 1990 (2 U.S.C. 661 et seq.), and the interest
5	on such loans may not be subsidized: Provided further,
6	That applicants in communities that have a current rural
7	area waiver under section 541 of the Housing Act of 1949
8	(42 U.S.C. 1490q) shall be treated as living in a rural
9	area for purposes of section 502 guaranteed loans pro-
10	vided under this heading: Provided further, That of the
11	amounts available under this paragraph for section 502
12	direct loans, no less than $$5,000,000$ shall be available for
13	direct loans for individuals whose homes will be built pur-
14	suant to a program funded with a mutual and self-help
15	housing grant authorized by section 523 of the Housing
16	Act of 1949 until June 1, 2019: Provided further, That
17	the Secretary shall implement provisions to provide incen-
18	tives to nonprofit organizations and public housing au-
19	thorities to facilitate the acquisition of Rural Housing
20	Service (RHS) multifamily housing properties by such
21	nonprofit organizations and public housing authorities
22	that commit to keep such properties in the RHS multi-
23	family housing program for a period of time as determined
24	by the Secretary, with such incentives to include, but not
25	be limited to, the following: allow such nonprofit entities



- 1 and public housing authorities to earn a Return on Invest-
- 2 ment on their own resources to include proceeds from low
- 3 income housing tax credit syndication, own contributions,
- 4 grants, and developer loans at favorable rates and terms,
- 5 invested in a deal; and allow reimbursement of organiza-
- 6 tional costs associated with owner's oversight of asset re-
- 7 ferred to as "Asset Management Fee" of up to \$7,500
- 8 per property.
- 9 In addition, for the cost of direct loans, grants, and
- 10 contracts, as authorized by sections 514 and 516 of the
- 11 Housing Act of 1949 (42 U.S.C. 1484, 1486),
- 12 \$16,853,000, to remain available until expended, for direct
- 13 farm labor housing loans and domestic farm labor housing
- 14 grants and contracts: Provided, That any balances avail-
- 15 able for the Farm Labor Program Account shall be trans-
- 16 ferred to and merged with this account.
- 17 In addition, for administrative expenses necessary to
- 18 carry out the direct and guaranteed loan programs,
- 19 \$412,254,000 shall be transferred to and merged with the
- 20 appropriation for "Rural Development, Salaries and Ex-
- 21 penses".
- 22 RENTAL ASSISTANCE PROGRAM
- For rental assistance agreements entered into or re-
- 24 newed pursuant to the authority under section 521(a)(2)
- 25 of the Housing Act of 1949 or agreements entered into



1	in lieu of debt forgiveness or payments for eligible house
2	holds as authorized by section 502(c)(5)(D) of the House
3	ing Act of 1949, \$1,331,400,000, of which \$40,000,000
4	shall be available until September 30, 2020; and in addi-
5	tion such sums as may be necessary, as authorized by sec
6	tion 521(c) of the Act, to liquidate debt incurred prior to
7	fiscal year 1992 to carry out the rental assistance program
8	under section 521(a)(2) of the Act: Provided, That renta
9	assistance agreements entered into or renewed during the
10	current fiscal year shall be funded for a one-year period
11	Provided further, That any unexpended balances remain
12	ing at the end of such one-year agreements may be trans
13	ferred and used for purposes of any debt reduction; main-
14	tenance, repair, or rehabilitation of any existing projects
15	preservation; and rental assistance activities authorized
16	under title V of the Act: Provided further, That rental as
17	sistance provided under agreements entered into prior to
18	fiscal year 2019 for a farm labor multi-family housing
19	project financed under section 514 or 516 of the Act may
20	not be recaptured for use in another project until such
21	assistance has remained unused for a period of 12 con-
22	secutive months, if such project has a waiting list of ten-
23	ants seeking such assistance or the project has rental as
24	sistance eligible tenants who are not receiving such assist
25	ance: Provided further That such recentured rental assist.



- 1 ance shall, to the extent practicable, be applied to another
- 2 farm labor multi-family housing project financed under
- 3 section 514 or 516 of the Act: Provided further, That ex-
- 4 cept as provided in the third proviso under this heading
- 5 and notwithstanding any other provision of the Act, the
- 6 Secretary may recapture rental assistance provided under
- 7 agreements entered into prior to fiscal year 2019 for a
- 8 project that the Secretary determines no longer needs
- 9 rental assistance and use such recaptured funds for cur-
- 10 rent needs.
- 11 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM
- 12 ACCOUNT
- For the rural housing voucher program as authorized
- 14 under section 542 of the Housing Act of 1949, but not-
- 15 withstanding subsection (b) of such section, and for addi-
- 16 tional costs to conduct a demonstration program for the
- 17 preservation and revitalization of multi-family rental hous-
- 18 ing properties described in this paragraph, \$51,500,000,
- 19 to remain available until expended: *Provided*, That of the
- 20 funds made available under this heading, \$27,000,000,
- 21 shall be available for rural housing vouchers to any low-
- 22 income household (including those not receiving rental as-
- 23 sistance) residing in a property financed with a section
- 24 515 loan which has been prepaid after September 30,
- 25 2005: Provided further, That the amount of such voucher



1	shall be the difference between comparable market rent
2	for the section 515 unit and the tenant paid rent for such
3	unit: $Provided\ further,\ That\ funds\ made\ available\ for\ such$
4	vouchers shall be subject to the availability of annual ap-
5	propriations: Provided further, That the Secretary shall,
6	to the maximum extent practicable, administer such
7	vouchers with current regulations and administrative guid-
8	ance applicable to section 8 housing vouchers administered
9	by the Secretary of the Department of Housing and Urban
10	Development: Provided further, That if the Secretary de-
11	termines that the amount made available for vouchers in
12	this or any other Act is not needed for vouchers, the Sec-
13	retary may use such funds for the demonstration program
14	for the preservation and revitalization of multi-family
15	rental housing properties described in this paragraph: $Pro-$
16	$vided\ further,$ That of the funds made available under this
17	heading, $\$24,500,000$ shall be available for a demonstra-
18	tion program for the preservation and revitalization of the
19	sections 514, 515, and 516 multi-family rental housing
20	properties to restructure existing USDA multi-family
21	housing loans, as the Secretary deems appropriate, ex-
22	pressly for the purposes of ensuring the project has suffi-
23	cient resources to preserve the project for the purpose of
24	providing safe and affordable housing for low-income resi-
25	dents and farm laborers including reducing or eliminating



1	interest; deferring loan payments, subordinating, reducing
2	or reamortizing loan debt; and other financial assistance
3	including advances, payments and incentives (including
4	the ability of owners to obtain reasonable returns on in-
5	vestment) required by the Secretary: Provided further,
6	That the Secretary shall as part of the preservation and
7	revitalization agreement obtain a restrictive use agreement
8	consistent with the terms of the restructuring: Provided
9	further, That if the Secretary determines that additional
10	funds for vouchers described in this paragraph are needed,
11	funds for the preservation and revitalization demonstra-
12	tion program may be used for such vouchers: Provided fur-
13	ther, That if Congress enacts legislation to permanently
14	authorize a multi-family rental housing loan restructuring
15	program similar to the demonstration program described
16	herein, the Secretary may use funds made available for
17	the demonstration program under this heading to carry
18	out such legislation with the prior approval of the Commit-
19	tees on Appropriations of both Houses of Congress: $Pro-$
20	vided further, That in addition to any other available
21	funds, the Secretary may expend not more than
22	\$1,000,000 total, from the program funds made available
23	under this heading, for administrative expenses for activi-
24	ties funded under this heading.



1	MUTUAL AND SELF-HELP HOUSING GRANTS
2	For grants and contracts pursuant to section
3	523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
4	1490c), \$30,000,000, to remain available until expended.
5	RURAL HOUSING ASSISTANCE GRANTS
6	For grants for very low-income housing repair and
7	rural housing preservation made by the Rural Housing
8	Service, as authorized by 42 U.S.C. 1474, and 1490m,
9	\$45,000,000, to remain available until expended.
10	RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
11	(INCLUDING TRANSFERS OF FUNDS)
12	For gross obligations for the principal amount of di-
13	rect and guaranteed loans as authorized by section 306
14	and described in section $381E(d)(1)$ of the Consolidated
15	Farm and Rural Development Act, $\$2,800,000,000$ for di-
16	rect loans and $$148,287,000$ for guaranteed loans.
17	For the cost of guaranteed loans, including the cost
18	of modifying loans, as defined in section 502 of the Con-
19	gressional Budget Act of 1974, \$4,285,000, to remain
20	available until expended.
21	For the cost of grants for rural community facilities
22	programs as authorized by section 306 and described in
23	section $381E(d)(1)$ of the Consolidated Farm and Rural
24	Development Act, \$45,778,000, to remain available until
25	expended: Provided, That \$6,000,000 of the amount ap-



1	propriated under this heading shall be available for a
2	Rural Community Development Initiative: Provided fur-
3	ther, That such funds shall be used solely to develop the
4	capacity and ability of private, nonprofit community-based
5	housing and community development organizations, low-
6	income rural communities, and Federally Recognized Na-
7	tive American Tribes to undertake projects to improve
8	housing, community facilities, community and economic
9	${\it development projects in rural areas:}\ {\it Provided further},$
10	That such funds shall be made available to qualified pri-
11	vate, nonprofit and public intermediary organizations pro-
12	posing to carry out a program of financial and technical
13	assistance: $Provided\ further,$ That such intermediary orga-
14	nizations shall provide matching funds from other sources, $% \left(1\right) =\left(1\right) \left(1\right) \left$
15	including Federal funds for related activities, in an
16	amount not less than funds provided: $Provided\ further,$
17	That $$5,778,000$ of the amount appropriated under this
18	heading shall be to provide grants for facilities in rural
19	communities with extreme unemployment and severe eco-
20	nomic depression (Public Law 106–387), with up to 5 per-
21	cent for administration and capacity building in the State
22	${\it rural } \ \ {\it development } \ \ {\it offices:} \ \ {\it Provided } \ \ {\it further}, \ \ \ {\it That}$
23	\$4,000,000 of the amount appropriated under this head-
24	ing shall be available for community facilities grants to
25	tribal colleges, as authorized by section 306(a)(19) of such



1	Act: Provided further, That sections 381E-H and 381N
2	of the Consolidated Farm and Rural Development Act are
3	not applicable to the funds made available under this
4	heading.
5	RURAL BUSINESS—COOPERATIVE SERVICE
6	RURAL BUSINESS PROGRAM ACCOUNT
7	(INCLUDING TRANSFERS OF FUNDS)
8	For the cost of loan guarantees and grants, for the
9	rural business development programs authorized by sec-
10	tion 310B and described in subsections (a), (c), (f) and
11	(g) of section 310B of the Consolidated Farm and Rura
12	Development Act, \$65,040,000, to remain available until
13	expended: Provided, That of the amount appropriated
14	under this heading, not to exceed \$500,000 shall be made
15	available for one grant to a qualified national organization
16	to provide technical assistance for rural transportation in
17	order to promote economic development and \$8,000,000
18	shall be for grants to the Delta Regional Authority (7
19	U.S.C. 2009aa et seq.), the Northern Border Regiona
20	Commission (40 U.S.C. 15101 et seq.), and the Appa-
21	lachian Regional Commission (40 U.S.C. 14101 et seq.)
22	for any Rural Community Advancement Program purpose
23	as described in section 381E(d) of the Consolidated Farm
24	and Rural Development Act, of which not more than 5
25	nercent may be used for administrative expenses. Provided



- 1 further, That \$4,000,000 of the amount appropriated
- 2 under this heading shall be for business grants to benefit
- 3 Federally Recognized Native American Tribes, including
- 4 \$250,000 for a grant to a qualified national organization
- 5 to provide technical assistance for rural transportation in
- 6 order to promote economic development: Provided further,
- 7 That sections 381E-H and 381N of the Consolidated
- 8 Farm and Rural Development Act are not applicable to
- 9 funds made available under this heading.
- 10 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT
- 11 (INCLUDING TRANSFER OF FUNDS)
- 12 For the principal amount of direct loans, as author-
- 13 ized by the Intermediary Relending Program Fund Ac-
- 14 count (7 U.S.C. 1936b), \$18,889,000.
- For the cost of direct loans, \$4,157,000, as author-
- 16 ized by the Intermediary Relending Program Fund Ac-
- 17 count (7 U.S.C. 1936b), of which \$557,000 shall be avail-
- 18 able through June 30, 2019, for Federally Recognized Na-
- 19 tive American Tribes; and of which \$1,072,000 shall be
- 20 available through June 30, 2019, for Mississippi Delta Re-
- 21 gion counties (as determined in accordance with Public
- 22 Law 100–460): *Provided*, That such costs, including the
- 23 cost of modifying such loans, shall be as defined in section
- 24 502 of the Congressional Budget Act of 1974.



1	In addition	for	administrative	ownongog	to	comm	out
1.	m addition	1, 101	administrative	expenses	w	carry	oui

- 2 the direct loan programs, \$4,468,000 shall be transferred
- 3 to and merged with the appropriation for "Rural Develop-
- 4 ment, Salaries and Expenses".
- 5 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM
- 6 ACCOUNT
- 7 For the principal amount of direct loans, as author-
- 8 ized under section 313 of the Rural Electrification Act,
- 9 for the purpose of promoting rural economic development
- 10 and job creation projects, \$50,000,000.
- 11 The cost of grants authorized under section 313 of
- 12 the Rural Electrification Act, for the purpose of promoting
- 13 rural economic development and job creation projects shall
- 14 not exceed \$10,000,000.
- 15 RURAL COOPERATIVE DEVELOPMENT GRANTS
- 16 For rural cooperative development grants authorized
- 17 under section 310B(e) of the Consolidated Farm and
- 18 Rural Development Act (7 U.S.C. 1932), \$29,100,000, of
- 19 which \$2,800,000 shall be for cooperative agreements for
- 20 the appropriate technology transfer for rural areas pro-
- 21 gram: Provided, That not to exceed \$3,000,000 shall be
- 22 for grants for cooperative development centers, individual
- 23 cooperatives, or groups of cooperatives that serve socially
- 24 disadvantaged groups and a majority of the boards of di-
- 25 rectors or governing boards of which are comprised of in-



- 1 dividuals who are members of socially disadvantaged
- 2 groups; and of which \$17,500,000, to remain available
- 3 until expended, shall be for value-added agricultural prod-
- 4 uct market development grants, as authorized by section
- 5 231 of the Agricultural Risk Protection Act of 2000 (7
- 6 U.S.C. 1632a), of which \$2,500,000 may be used for Agri-
- 7 culture Innovation Centers authorized pursuant to section
- 8 6402 of Public Law 107–171.
- 9 RURAL ENERGY FOR AMERICA PROGRAM
- For the cost of a program of loan guarantees, under
- 11 the same terms and conditions as authorized by section
- 12 9007 of the Farm Security and Rural Investment Act of
- 13 2002 (7 U.S.C. 8107), \$334,500: Provided, That the cost
- 14 of loan guarantees, including the cost of modifying such
- 15 loans, shall be as defined in section 502 of the Congres-
- 16 sional Budget Act of 1974.
- 17 Rural Utilities Service
- 18 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT
- 19 (INCLUDING TRANSFERS OF FUNDS)
- For gross obligations for the principal amount of di-
- 21 rect loans as authorized by section 306 and described in
- 22 section 381E(d)(2) of the Consolidated Farm and Rural
- 23 Development Act, \$1,400,000,000. For loan guarantees
- 24 and grants for rural water, waste water, waste disposal,
- 25 and solid waste management programs authorized by sec-



1	tions 306, 306A, 306C, 306D, 306E, and 310B and de-
2	scribed in sections $306C(a)(2)$, $306D$, $306E$, and
3	381E(d)(2) of the Consolidated Farm and Rural Develop-
4	ment Act, \$548,690,000, to remain available until ex-
5	pended, of which not to exceed \$1,000,000 shall be avail-
6	able for the rural utilities program described in section
7	306(a)(2)(B) of such Act, and of which not to exceed
8	\$1,500,000 shall be available for the rural utilities pro-
9	gram described in section 306E of such Act: Provided,
10	That not to exceed \$15,000,000 of the amount appro-
11	priated under this heading shall be for grants authorized
12	by section 306A(i)(2) of the Consolidated Farm and Rura
13	Development Act in addition to funding authorized by sec-
14	tion 306A(i)(1) of such Act and such grants may not ex-
15	ceed $$1,000,000$ notwithstanding section $306A(f)(1)$ of
16	such Act: Provided further, That \$68,000,000 of the
17	amount appropriated under this heading shall be for loans
18	and grants including water and waste disposal systems
19	grants authorized by section 306C(a)(2)(B) and section
20	306D of the Consolidated Farm and Rural Development
21	Act, and Federally Recognized Native American Tribes
22	authorized by 306C(a)(1) of such Act: Provided further,
23	That funding provided for section 306D of the Consoli-



24 dated Farm and Rural Development Act may be provided

25 to a consortium formed pursuant to section 325 of Public

1	Law 105–83: Provided further, That not more than 2 per-
2	cent of the funding provided for section 306D of the Con-
3	solidated Farm and Rural Development Act may be used
4	by the State of Alaska for training and technical assist-
5	ance programs and not more than 2 percent of the funding
6	provided for section 306D of the Consolidated Farm and
7	Rural Development Act may be used by a consortium
8	formed pursuant to section 325 of Public Law $105-83$ for
9	training and technical assistance programs: Provided fur-
10	ther, That not to exceed \$30,000,000 of the amount ap-
11	propriated under this heading shall be for technical assist-
12	ance grants for rural water and waste systems pursuant
13	to section 306(a)(14) of such Act, unless the Secretary
14	makes a determination of extreme need, of which
15	\$8,000,000 shall be made available for a grant to a quali-
16	fied nonprofit multi-State regional technical assistance or-
17	ganization, with experience in working with small commu-
18	nities on water and waste water problems, the principal
19	purpose of such grant shall be to assist rural communities
20	with populations of 3,300 or less, in improving the plan-
21	ning, financing, development, operation, and management
22	of water and waste water systems, and of which not less
23	than \$800,000 shall be for a qualified national Native
24	American organization to provide technical assistance for
25	rural water systems for tribal communities: Provided fur-



1	ther, That not to exceed \$19,000,000 of the amount ap-
2	propriated under this heading shall be for contracting with
3	qualified national organizations for a circuit rider program
4	to provide technical assistance for rural water systems:
5	$Provided\ further,\ {\it That\ not\ to\ exceed\ \$4,000,000\ shall\ be}$
6	for solid waste management grants: $Provided\ further,\ That$
7	\$10,000,000 of the amount appropriated under this head-
8	ing shall be transferred to, and merged with, the Rural
9	Utilities Service, High Energy Cost Grants Account to
10	provide grants authorized under section 19 of the Rural
11	Electrification Act of 1936 (7 U.S.C. 918a): $Provided\ fur-$
12	ther, That any prior year balances for high-energy cost
13	grants authorized by section 19 of the Rural Electrifica-
14	tion Act of 1936 (7 U.S.C. 918a) shall be transferred to
15	and merged with the Rural Utilities Service, High Energy
16	Cost Grants Account: Provided further, That sections
17	$381\mathrm{E-H}$ and $381\mathrm{N}$ of the Consolidated Farm and Rural
18	Development Act are not applicable to the funds made
19	available under this heading.
20	RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
21	LOANS PROGRAM ACCOUNT
22	(INCLUDING TRANSFER OF FUNDS)
23	The principal amount of direct and guaranteed loans
24	as authorized by sections 305 , 306 , and 317 of the Rural
25	Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g)



- 1 shall be made as follows: loans made pursuant to sections
- 2 305, 306, and 317, notwithstanding 317(c), of that Act,
- 3 rural electric, \$5,500,000,000; guaranteed underwriting
- 4 loans pursuant to section 313A, \$750,000,000; 5 percent
- 5 rural telecommunications loans, cost of money rural tele-
- 6 communications loans, and for loans made pursuant to
- 7 section 306 of that Act, rural telecommunications loans,
- 8 \$690,000,000: *Provided*, That up to \$2,000,000,000 shall
- 9 be used for the construction, acquisition, design and engi-
- 10 neering or improvement of fossil-fueled electric generating
- 11 plants (whether new or existing) that utilize carbon sub-
- 12 surface utilization and storage systems.
- For the cost of direct loans as authorized by section
- 14 305 of the Rural Electrification Act of 1936 (7 U.S.C.
- 15 935), including the cost of modifying loans, as defined in
- 16 section 502 of the Congressional Budget Act of 1974, cost
- 17 of money rural telecommunications loans, \$1,725,000.
- 18 In addition, for administrative expenses necessary to
- 19 carry out the direct and guaranteed loan programs,
- 20 \$33,270,000, which shall be transferred to and merged
- 21 with the appropriation for "Rural Development, Salaries
- 22 and Expenses".

	50.
1	DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
2	PROGRAM
3	For the principal amount of broadband telecommuni-
4	cation loans, \$29,851,000.
5	For grants for telemedicine and distance learning
6	services in rural areas, as authorized by 7 U.S.C. 950aaa
7	et seq., \$34,000,000, to remain available until expended:
8	Provided, That \$3,000,000 shall be made available for
9	grants authorized by 379G of the Consolidated Farm and
10	Rural Development Act: Provided further, That funding
11	provided under this heading for grants under 379G of the
12	Consolidated Farm and Rural Development Act may only
13	be provided to entities that meet all of the eligibility cri-
14	teria for a consortium as established by this section.
15	For the cost of broadband loans, as authorized by
16	section 601 of the Rural Electrification Act, \$5,830,000,
17	to remain available until expended: Provided, That the
18	cost of direct loans shall be as defined in section 502 of
19	the Congressional Budget Act of 1974.
20	In addition, \$30,000,000, to remain available until
21	expended, for a grant program to finance broadband
22	transmission in rural areas eligible for Distance Learning
23	and Telemedicine Program benefits authorized by 7



24 U.S.C. 950aaa.

1	TITLE IV
2	DOMESTIC FOOD PROGRAMS
3	OFFICE OF THE UNDER SECRETARY FOR FOOD,
4	NUTRITION, AND CONSUMER SERVICES
5	For necessary expenses of the Office of the Under
6	Secretary for Food, Nutrition, and Consumer Services,
7	\$800,000: Provided, That funds made available by this
8	Act to an agency in the Food, Nutrition and Consumer
9	Services mission area for salaries and expenses are avail-
10	able to fund up to one administrative support staff for
11	the Office.
12	FOOD AND NUTRITION SERVICE
13	CHILD NUTRITION PROGRAMS
14	(INCLUDING TRANSFERS OF FUNDS)
15	For necessary expenses to carry out the Richard B.
16	Russell National School Lunch Act (42 U.S.C. 1751 et
17	seq.), except section 21, and the Child Nutrition Act of
18	1966 (42 U.S.C. 1771 et seq.), except sections 17 and
19	21; \$23,140,781,000 to remain available through Sep-
20	tember 30, 2020, of which such sums as are made avail-
21	able under section $14222(b)(1)$ of the Food, Conservation,
22	and Energy Act of 2008 (Public Law 110–246), as
23	amended by this Act, shall be merged with and available
24	for the same time period and purposes as provided herein:
25	Provided, That of the total amount available, \$17,004,000



- 1 shall be available to carry out section 19 of the Child Nu-
- 2 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
- 3 further, That of the total amount available, \$30,000,000
- 4 shall be available to provide competitive grants to State
- 5 agencies for subgrants to local educational agencies and
- 6 schools to purchase the equipment, with a value of greater
- 7 than \$1,000, needed to serve healthier meals, improve food
- 8 safety, and to help support the establishment, mainte-
- 9 nance, or expansion of the school breakfast program: Pro-
- 10 vided further, That of the total amount available,
- 11 \$28,000,000 shall remain available until expended to carry
- 12 out section 749(g) of the Agriculture Appropriations Act
- 13 of 2010 (Public Law 111-80): Provided further, That sec-
- 14 tion 26(d) of the Richard B. Russell National School
- 15 Lunch Act (42 U.S.C. 1769g(d)) is amended in the first
- 16 sentence by striking "2010 through 2018" and inserting
- 17 "2010 through 2019": Provided further, That section
- 18 9(h)(3) of the Richard B. Russell National School Lunch
- 19 Act (42 U.S.C. 1758(h)(3)) is amended in the first sen-
- 20 tence by striking "For fiscal year 2018" and inserting
- 21 "For fiscal year 2019": Provided further, That section
- 22 9(h)(4) of the Richard B. Russell National School Lunch
- 23 Act (42 U.S.C. 1758(h)(4)) is amended in the first sen-
- 24 tence by striking "For fiscal year 2018" and inserting
- 25 "For fiscal year 2019".



1	SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
2	WOMEN, INFANTS, AND CHILDREN (WIC)
3	For necessary expenses to carry out the special sup-
4	plemental nutrition program as authorized by section 17
5	of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
6	\$6,075,000,000, to remain available through September
7	30, 2020: Provided, That notwithstanding section
8	17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
9	1786(h)(10)), not less than $$60,000,000$ shall be used for
10	breastfeeding peer counselors and other related activities,
11	and \$19,000,000 shall be used for infrastructure, of which
12	\$5,000,000 shall be for telehealth competitive grants to
13	supplement the nutrition education and breastfeeding sup-
14	port offered in the WIC clinic, and to decrease barriers
15	to access to WIC services, particularly in rural commu-
16	nities, and other populations facing barriers to accessing
17	support: Provided further, That none of the funds provided
18	in this account shall be available for the purchase of infant
19	formula except in accordance with the cost containment
20	and competitive bidding requirements specified in section
21	17 of such Act: Provided further, That none of the funds
22	provided shall be available for activities that are not fully
23	reimbursed by other Federal Government departments or
24	agencies unless authorized by section 17 of such Act: Pro-
25	vided further. That upon termination of a federally man-



- 1 dated vendor moratorium and subject to terms and condi-
- 2 tions established by the Secretary, the Secretary may
- 3 waive the requirement at 7 CFR 246.12(g)(6) at the re-
- 4 quest of a State agency.
- 5 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM
- 6 For necessary expenses to carry out the Food and
- 7 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
- 8 \$73,476,921,000, of which \$3,000,000,000, to remain
- 9 available through December 31, 2020, shall be placed in
- 10 reserve for use only in such amounts and at such times
- 11 as may become necessary to carry out program operations:
- 12 Provided, That funds provided herein shall be expended
- 13 in accordance with section 16 of the Food and Nutrition
- 14 Act of 2008: Provided further, That of the funds made
- 15 available under this heading, \$998,000 may be used to
- 16 provide nutrition education services to State agencies and
- 17 Federally Recognized Tribes participating in the Food
- 18 Distribution Program on Indian Reservations: Provided
- 19 further, That this appropriation shall be subject to any
- 20 work registration or workfare requirements as may be re-
- 21 quired by law: Provided further, That funds made available
- 22 for Employment and Training under this heading shall re-
- 23 main available through September 30, 2020: Provided fur-
- 24 ther, That funds made available under this heading for
- 25 section 28(d)(1), section 4(b), and section 27(a) of the



- 1 Food and Nutrition Act of 2008 shall remain available
- 2 through September 30, 2020: Provided further, That none
- 3 of the funds made available under this heading may be
- 4 obligated or expended in contravention of section 213A of
- 5 the Immigration and Nationality Act (8 U.S.C. 1183A):
- 6 Provided further, That funds made available under this
- 7 heading may be used to enter into contracts and employ
- 8 staff to conduct studies, evaluations, or to conduct activi-
- 9 ties related to program integrity provided that such activi-
- 10 ties are authorized by the Food and Nutrition Act of 2008.

11 COMMODITY ASSISTANCE PROGRAM

- 12 For necessary expenses to carry out disaster assist-
- 13 ance and the Commodity Supplemental Food Program as
- 14 authorized by section 4(a) of the Agriculture and Con-
- 15 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
- 16 Emergency Food Assistance Act of 1983; special assist-
- 17 ance for the nuclear affected islands, as authorized by sec-
- 18 tion 103(f)(2) of the Compact of Free Association Amend-
- 19 ments Act of 2003 (Public Law 108–188); and the Farm-
- 20 ers' Market Nutrition Program, as authorized by section
- 21 17(m) of the Child Nutrition Act of 1966, \$322,139,000,
- 22 to remain available through September 30, 2020: Pro-
- 23 vided, That none of these funds shall be available to reim-
- 24 burse the Commodity Credit Corporation for commodities
- 25 donated to the program: Provided further, That notwith-



- 1 standing any other provision of law, effective with funds
- 2 made available in fiscal year 2019 to support the Seniors
- 3 Farmers' Market Nutrition Program, as authorized by
- 4 section 4402 of the Farm Security and Rural Investment
- 5 Act of 2002, such funds shall remain available through
- 6 September 30, 2020: Provided further, That of the funds
- 7 made available under section 27(a) of the Food and Nutri-
- 8 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
- 9 use up to 15 percent for costs associated with the distribu-
- 10 tion of commodities: Provided further, That \$30,000,000
- 11 of prior year unobligated balances of the Commodity Sup-
- 12 plemental Food Program shall be transferred to The
- 13 Emergency Food Assistance Program to be used for ad-
- 14 ministrative expenses.
- 15 NUTRITION PROGRAMS ADMINISTRATION
- 16 For necessary administrative expenses of the Food
- 17 and Nutrition Service for carrying out any domestic nutri-
- 18 tion assistance program, \$164,688,000, of which
- 19 \$12,297,000 shall remain available through September
- 20 30, 2021, for the development and dissemination of the
- 21 Dietary Guidelines for Americans: Provided, That of the
- 22 funds provided herein, \$2,000,000 shall be used for the
- 23 purposes of section 4404 of Public Law 107–171, as
- 24 amended by section 4401 of Public Law 110-246.



1	TITLE V
2	FOREIGN ASSISTANCE AND RELATED
3	PROGRAMS
4	Office of the Under Secretary for Trade and
5	Foreign Agricultural Affairs
6	For necessary expenses of the Office of the Under
7	Secretary for Trade and Foreign Agricultural Affairs,
8	\$875,000: Provided, That funds made available by this
9	Act to any agency in the Trade and Foreign Agricultural
10	Affairs mission area for salaries and expenses are avail-
11	able to fund up to one administrative support staff for
12	the Office.
13	OFFICE OF CODEX ALIMENTARIUS
14	For necessary expenses of the Office of Codex
15	Alimentarius, \$3,976,000, including not to exceed
16	$\$40,\!000$ for official reception and representation expenses.
17	Foreign Agricultural Service
18	SALARIES AND EXPENSES
19	(INCLUDING TRANSFERS OF FUNDS)
20	For necessary expenses of the Foreign Agricultural
21	Service, including not to exceed \$250,000 for representa-
22	tion allowances and for expenses pursuant to section 8 of
23	the Act approved August 3, 1956 (7 U.S.C. 1766),
24	\$213,890,000, of which no more than 6 percent shall re-
25	main available until September 30, 2020, for overseas op-



- 1 erations to include the payment of locally employed staff:
- 2 Provided, That the Service may utilize advances of funds,
- 3 or reimburse this appropriation for expenditures made on
- 4 behalf of Federal agencies, public and private organiza-
- 5 tions and institutions under agreements executed pursu-
- 6 ant to the agricultural food production assistance pro-
- 7 grams (7 U.S.C. 1737) and the foreign assistance pro-
- 8 grams of the United States Agency for International De-
- 9 velopment: Provided further, That funds made available
- 10 for middle-income country training programs, funds made
- 11 available for the Borlaug International Agricultural
- 12 Science and Technology Fellowship program, and up to
- 13 \$2,000,000 of the Foreign Agricultural Service appropria-
- 14 tion solely for the purpose of offsetting fluctuations in
- 15 international currency exchange rates, subject to docu-
- 16 mentation by the Foreign Agricultural Service, shall re-
- 17 main available until expended.
- 18 FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD
- 19 FOR PROGRESS PROGRAM ACCOUNT
- 20 (INCLUDING TRANSFER OF FUNDS)
- 21 For administrative expenses to carry out the credit
- 22 program of title I, Food for Peace Act (Public Law 83–
- 23 480) and the Food for Progress Act of 1985, \$142,000,
- 24 shall be transferred to and merged with the appropriation
- 25 for "Farm Service Agency, Salaries and Expenses".



1	FOOD FOR PEACE TITLE II GRANTS
2	For expenses during the current fiscal year, not oth-
3	erwise recoverable, and unrecovered prior years' costs, in-
4	cluding interest thereon, under the Food for Peace Act
5	(Public Law 83–480), for commodities supplied in connec-
6	tion with dispositions abroad under title II of said Act
7	\$1,500,000,000, to remain available until expended.
8	MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
9	AND CHILD NUTRITION PROGRAM GRANTS
10	For necessary expenses to carry out the provisions
11	of section 3107 of the Farm Security and Rural Invest-
12	ment Act of 2002 (7 U.S.C. 1736o-1), \$210,255,000, to
13	remain available until expended, of which \$1,000,000 is
14	for the use of recently developed potable water tech-
15	nologies in school feeding projects: Provided, That the
16	Commodity Credit Corporation is authorized to provide
17	the services, facilities, and authorities for the purpose of
18	implementing such section, subject to reimbursement from
19	amounts provided herein: Provided further, That of the
20	amount made available under this heading, \$15,000,000
21	shall remain available until expended for necessary ex-
22	penses to carry out the provisions of section 3207 of the
23	Agricultural Act of 2014 (7 U.S.C. 1726e).



1	COMMODITY CREDIT CORPORATION EXPORT (LOANS)
2	CREDIT GUARANTEE PROGRAM ACCOUNT
3	(INCLUDING TRANSFERS OF FUNDS)
4	For administrative expenses to carry out the Com-
5	modity Credit Corporation's Export Guarantee Program,
6	GSM 102 and GSM 103, \$8,845,000; to cover common
7	overhead expenses as permitted by section 11 of the Com-
8	modity Credit Corporation Charter Act and in conformity
9	with the Federal Credit Reform Act of 1990, of which
0	\$6,382,000 shall be transferred to and merged with the
1	appropriation for "Foreign Agricultural Service, Salaries
2	and Expenses", and of which \$2,463,000 shall be trans-
3	ferred to and merged with the appropriation for "Farm
4	Service Agency Salaries and Expenses"



1	TITLE VI
2	RELATED AGENCY AND FOOD AND DRUG
3	ADMINISTRATION
4	DEPARTMENT OF HEALTH AND HUMAN SERVICES
5	FOOD AND DRUG ADMINISTRATION
6	SALARIES AND EXPENSES
7	For necessary expenses of the Food and Drug Ad-
8	ministration, including hire and purchase of passenger
9	motor vehicles; for payment of space rental and related
10	costs pursuant to Public Law $92-313$ for programs and
11	activities of the Food and Drug Administration which are
12	included in this Act; for rental of special purpose space
13	in the District of Columbia or elsewhere; in addition to
14	amounts appropriated to the FDA Innovation Account, for
15	carrying out the activities described in section $1002(b)(4)$
16	of the 21st Century Cures Act (Public Law 114–255); for
17	miscellaneous and emergency expenses of enforcement ac-
18	tivities, authorized and approved by the Secretary and to
19	be accounted for solely on the Secretary's certificate, not
20	to exceed \$25,000; and notwithstanding section 521 of
21	Public Law 107–188; \$5,584,965,000: Provided, That of
22	the amount provided under this heading, $\$1,010,323,000$
23	shall be derived from prescription drug user fees author-
24	ized by 21 U.S.C. 379h, and shall be credited to this ac-
25	count and remain available until expended; \$204,730,000



1	shall be derived from medical device user fees authorized
2	by 21 U.S.C. 379j, and shall be credited to this account
3	and remain available until expended; $\$501,721,000$ shall
4	be derived from human generic drug user fees authorized
5	by 21 U.S.C. 379j-42, and shall be credited to this ac-
6	count and remain available until expended; \$38,847,000
7	shall be derived from biosimilar biological product user
8	fees authorized by 21 U.S.C. $379j-52$, and shall be cred-
9	ited to this account and remain available until expended;
10	\$30,331,000 shall be derived from animal drug user fees
11	authorized by 21 U.S.C. 379j-12, and shall be credited
12	to this account and remain available until expended;
13	\$18,335,000 shall be derived from generic new animal
14	drug user fees authorized by 21 U.S.C. 379j–21, and shall
15	be credited to this account and remain available until ex-
16	pended; \$712,000,000 shall be derived from tobacco prod-
17	uct user fees authorized by 21 U.S.C. 387s, and shall be
18	credited to this account and remain available until ex-
19	pended: Provided further, That in addition to and notwith-
20	standing any other provision under this heading, amounts
21	collected for prescription drug user fees, medical device
22	user fees, human generic drug user fees, biosimilar biologi-
23	cal product user fees, animal drug user fees, and generic
24	new animal drug user fees that exceed the respective fiscal
25	year 2019 limitations are appropriated and shall be cred-



1	ited to this account and remain available until expended:
2	${\it Provided further}, {\rm That fees derived from prescription drug},$
3	medical device, human generic drug, biosimilar biological
4	product, animal drug, and generic new animal drug as-
5	sessments for fiscal year 2019, including any such fees
6	collected prior to fiscal year 2019 but credited for fiscal
7	year 2019, shall be subject to the fiscal year 2019 limita-
8	tions: Provided further, That the Secretary may accept
9	payment during fiscal year 2019 of user fees specified
10	under this heading and authorized for fiscal year 2020,
11	prior to the due date for such fees, and that amounts of
12	such fees assessed for fiscal year 2020 for which the Sec-
13	retary accepts payment in fiscal year 2019 shall not be
14	included in amounts under this heading: $Provided\ further,$
15	That none of these funds shall be used to develop, estab-
16	lish, or operate any program of user fees authorized by
17	31 U.S.C. 9701: Provided further, That of the total
18	amount appropriated: (1) \$1,059,980,000 shall be for the
19	Center for Food Safety and Applied Nutrition and related
20	field activities in the Office of Regulatory Affairs, of which
21	no less than \$15,000,000 shall be used for inspections of
22	foreign seafood manufacturers and field examinations of
23	imported seafood; (2) $$1,879,927,000$ shall be for the
24	Center for Drug Evaluation and Research and related
25	field activities in the Office of Regulatory Affairs; (3)



- 1 \$402,144,000 shall be for the Center for Biologics Evalua-
- 2 tion and Research and for related field activities in the
- 3 Office of Regulatory Affairs; (4) \$223,611,000 shall be
- 4 for the Center for Veterinary Medicine and for related
- 5 field activities in the Office of Regulatory Affairs; (5)
- 6 \$556,179,000 shall be for the Center for Devices and Ra-
- 7 diological Health and for related field activities in the Of-
- 8 fice of Regulatory Affairs; (6) \$66,712,000 shall be for
- 9 the National Center for Toxicological Research; (7)
- 10 \$666,832,000 shall be for the Center for Tobacco Prod-
- 11 ucts and for related field activities in the Office of Regu-
- 12 latory Affairs; (8) \$173,847,000 shall be for Rent and Re-
- 13 lated activities, of which \$50,587,000 is for White Oak
- 14 Consolidation, other than the amounts paid to the General
- 15 Services Administration for rent; (9) \$237,849,000 shall
- 16 be for payments to the General Services Administration
- 17 for rent; and (10) \$317,884,000 shall be for other activi-
- 18 ties, including the Office of the Commissioner of Food and
- 19 Drugs, the Office of Foods and Veterinary Medicine, the
- 20 Office of Medical and Tobacco Products, the Office of
- 21 Global and Regulatory Policy, the Office of Operations,
- 22 the Office of the Chief Scientist, and central services for
- 23 these offices: Provided further, That not to exceed \$25,000
- 24 of this amount shall be for official reception and represen-
- 25 tation expenses, not otherwise provided for, as determined



1	by the Commissioner: <i>Provided further</i> , That any transfer
2	of funds pursuant to section 770(n) of the Federal Food,
3	Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only
4	be from amounts made available under this heading for
5	other activities: Provided further, That of the amounts
6	that are made available under this heading for "other ac-
7	tivities", and that are not derived from user fees,
8	\$1,500,000 shall be transferred to and merged with the
9	appropriation for "Department of Health and Human
10	Services—Office of Inspector General" for oversight of the
11	programs and operations of the Food and Drug Adminis-
12	tration and shall be in addition to funds otherwise made
13	available for oversight of the Food and Drug Administra-
14	tion: Provided further, That of the total amount made
15	available under this heading, \$3,000,000 shall be used by
16	the Commissioner of Food and Drugs, in coordination
17	with the Secretary of Agriculture, for consumer outreach
18	and education regarding agricultural biotechnology and
19	biotechnology-derived food products and animal feed, in-
20	cluding through publication and distribution of science-
21	based educational information on the environmental, nu-
22	tritional, food safety, economic, and humanitarian impacts
23	of such biotechnology, food products, and feed: $Provided$
24	further, That funds may be transferred from one specified



- 1 activity to another with the prior approval of the Commit-
- 2 tees on Appropriations of both Houses of Congress.
- 3 In addition, mammography user fees authorized by
- 4 42 U.S.C. 263b, export certification user fees authorized
- 5 by 21 U.S.C. 381, priority review user fees authorized by
- 6 21 U.S.C. 360n and 360ff, food and feed recall fees, food
- 7 reinspection fees, and voluntary qualified importer pro-
- 8 gram fees authorized by 21 U.S.C. 379j-31, outsourcing
- 9 facility fees authorized by 21 U.S.C. 379j-62, prescription
- 10 drug wholesale distributor licensing and inspection fees
- 11 authorized by 21 U.S.C. 353(e)(3), third-party logistics
- 12 provider licensing and inspection fees authorized by 21
- 13 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
- 14 by 21 U.S.C. 384d(c)(8), and medical countermeasure pri-
- 15 ority review voucher user fees authorized by 21 U.S.C.
- 16 360bbb-4a, and, contingent upon the enactment of the
- 17 Over-the-Counter Monograph User Fee Act of 2018, fees
- 18 relating to over-the-counter monograph drugs authorized
- 19 by part 10 of subchapter C of Chapter VII of the Federal
- 20 Food, Drug and Cosmetic Act shall be credited to this ac-
- 21 count, to remain available until expended.
- 22 BUILDINGS AND FACILITIES
- For plans, construction, repair, improvement, exten-
- 24 sion, alteration, demolition, and purchase of fixed equip-
- 25 ment or facilities of or used by the Food and Drug Admin-

1	istration, where not otherwise provided, \$11,788,000, to
2	remain available until expended.
3	FDA INNOVATION ACCOUNT, CURES ACT
4	(INCLUDING TRANSFER OF FUNDS)
5	For necessary expenses to carry out the purposes de-
6	scribed under section 1002(b)(4) of the 21st Century
7	Cures Act, in addition to amounts available for such pur-
8	poses under the heading "Salaries and Expenses"
9	\$70,000,000, to remain available until expended: $Pro-$
10	vided, That amounts appropriated in this paragraph are
11	appropriated pursuant to section 1002(b)(3) of the 21st
12	Century Cures Act, are to be derived from amounts trans-
13	ferred under section 1002(b)(2)(A) of such Act, and may
14	be transferred by the Commissioner of Food and Drugs
15	to the appropriation for "Department of Health and
16	Human Services Food and Drug Administration Salaries
17	and Expenses" solely for the purposes provided in such
18	Act: Provided further, That upon a determination by the
19	Commissioner that funds transferred pursuant to the pre-
20	vious proviso are not necessary for the purposes provided
21	such amounts may be transferred back to the account
22	Provided further, That such transfer authority is in addi-
23	tion to any other transfer authority provided by law.



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1	INDEPENDENT AGENCY
2	FARM CREDIT ADMINISTRATION
3	LIMITATION ON ADMINISTRATIVE EXPENSES
4	Not to exceed \$74,600,000 (from assessments col-
5	lected from farm credit institutions, including the Federal
6	Agricultural Mortgage Corporation) shall be obligated
7	during the current fiscal year for administrative expenses
8	as authorized under 12 U.S.C. 2249: Provided, That this
9	limitation shall not apply to expenses associated with re-
10	ceiverships: Provided further, That the agency may exceed
11	this limitation by up to 10 percent with notification to the
12	Committees on Appropriations of both Houses of Con-
13	gress.



1	TITLE VII
2	GENERAL PROVISIONS
3	(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)
4	Sec. 701. Within the unit limit of cost fixed by law,
5	appropriations and authorizations made for the Depart-
6	ment of Agriculture for the current fiscal year under this
7	Act shall be available for the purchase, in addition to those
8	specifically provided for, of not to exceed 71 passenger
9	motor vehicles of which 68 shall be for replacement only,
10	and for the hire of such vehicles: Provided, That notwith-
11	standing this section, the only purchase of new passenger
12	vehicles shall be for those determined by the Secretary to
13	be necessary for transportation safety, to reduce oper-
14	ational costs, and for the protection of life, property, and
15	public safety.
16	Sec. 702. Notwithstanding any other provision of
17	this Act, the Secretary of Agriculture may transfer unobli-
18	gated balances of discretionary funds appropriated by this
19	Act or any other available unobligated discretionary bal-
20	ances that are remaining available of the Department of
21	Agriculture to the Working Capital Fund for the acquisi-
22	tion of plant and capital equipment necessary for the deliv-
23	ery of financial, administrative, and information tech-
24	nology services of primary benefit to the agencies of the
25	Department of Agriculture such transferred funds to re-



1	main available until expended: <i>Provided</i> , That none of the
2	funds made available by this Act or any other Act shall
3	be transferred to the Working Capital Fund without the
4	prior approval of the agency administrator: $Provided\ fur-$
5	$\it ther, \ {\it That \ none \ of \ the \ funds \ transferred \ to \ the \ Working}$
6	Capital Fund pursuant to this section shall be available
7	for obligation without written notification to and the prior
8	approval of the Committees on Appropriations of both
9	Houses of Congress: $Provided\ further,\ That\ none\ of\ the$
10	funds appropriated by this Act or made available to the
11	Department's Working Capital Fund shall be available for
12	obligation or expenditure to make any changes to the De-
13	partment's National Finance Center without written noti-
14	fication to and prior approval of the Committees on Ap-
15	propriations of both Houses of Congress as required by
16	section 717 of this Act: Provided further, That none of
17	the funds appropriated by this Act or made available to
18	the Department's Working Capital Fund shall be available
19	for obligation or expenditure to initiate, plan, develop, im-
20	plement, or make any changes to remove or relocate any
21	systems, missions, or functions of the offices of the Chief
22	Financial Officer or any personnel from the National Fi-
23	nance Center prior to written notification to and prior ap-
24	proval of the Committee on Appropriations of both Houses
25	of Congress and in accordance with the requirements of



1	section 717 of this Act: Provided further, That the Sec-
2	retary of Agriculture and the offices of the Chief Financial
3	Officer shall actively market to existing and new Depart-
4	ments and other government agencies National Finance
5	Center shared services including, but not limited to, pay-
6	roll, financial management, and human capital shared
7	services and allow the National Finance Center to perform
8	technology upgrades: Provided further, That of annual in-
9	come amounts in the Working Capital Fund of the De-
10	partment of Agriculture attributable to the amounts in ex-
11	cess of the true costs of the shared services provided by
12	the National Finance Center and budgeted for the Na-
13	tional Finance Center, the Secretary shall reserve not
14	more than 4 percent for the replacement or acquisition
15	of capital equipment, including equipment for the improve-
16	ment, delivery, and implementation of financial, adminis-
17	trative, and information technology services, and other
18	systems of the National Finance Center or to pay any un-
19	foreseen, extraordinary cost of the National Finance Cen-
20	ter: Provided further, That none of the amounts reserved
21	shall be available for obligation unless the Secretary sub-
22	mits written notification of the obligation to the Commit-
23	tees on Appropriations of both Houses of Congress: $Pro-$
24	vided further, That the limitations on the obligation of
25	funds pending notification to Congressional Committees



- 1 shall not apply to any obligation that, as determined by
- 2 the Secretary, is necessary to respond to a declared state
- 3 of emergency that significantly impacts the operations of
- 4 the National Finance Center; or to evacuate employees of
- 5 the National Finance Center to a safe haven to continue
- 6 operations of the National Finance Center.
- 7 Sec. 703. No part of any appropriation contained in
- 8 this Act shall remain available for obligation beyond the
- 9 current fiscal year unless expressly so provided herein.
- 10 Sec. 704. No funds appropriated by this Act may be
- 11 used to pay negotiated indirect cost rates on cooperative
- 12 agreements or similar arrangements between the United
- 13 States Department of Agriculture and nonprofit institu-
- 14 tions in excess of 10 percent of the total direct cost of
- 15 the agreement when the purpose of such cooperative ar-
- 16 rangements is to carry out programs of mutual interest
- 17 between the two parties. This does not preclude appro-
- 18 priate payment of indirect costs on grants and contracts
- 19 with such institutions when such indirect costs are com-
- 20 puted on a similar basis for all agencies for which appro-
- 21 priations are provided in this Act.
- 22 Sec. 705. Appropriations to the Department of Agri-
- 23 culture for the cost of direct and guaranteed loans made
- 24 available in the current fiscal year shall remain available
- 25 until expended to disburse obligations made in the current



- 1 fiscal year for the following accounts: the Rural Develop-
- 2 ment Loan Fund program account, the Rural Electrifica-
- 3 tion and Telecommunication Loans program account, and
- 4 the Rural Housing Insurance Fund program account.
- 5 Sec. 706. None of the funds made available to the
- 6 Department of Agriculture by this Act may be used to ac-
- 7 quire new information technology systems or significant
- 8 upgrades, as determined by the Office of the Chief Infor-
- 9 mation Officer, without the approval of the Chief Informa-
- 10 tion Officer and the concurrence of the Executive Informa-
- 11 tion Technology Investment Review Board: Provided, That
- 12 notwithstanding any other provision of law, none of the
- 13 funds appropriated or otherwise made available by this
- 14 Act may be transferred to the Office of the Chief Informa-
- 15 tion Officer without written notification to and the prior
- 16 approval of the Committees on Appropriations of both
- 17 Houses of Congress: Provided further, That, notwith-
- 18 standing section 11319 of title 40, United States Code,
- 19 none of the funds available to the Department of Agri-
- 20 culture for information technology shall be obligated for
- 21 projects, contracts, or other agreements over \$25,000
- 22 prior to receipt of written approval by the Chief Informa-
- 23 tion Officer: Provided further, That the Chief Information
- 24 Officer may authorize an agency to obligate funds without
- 25 written approval from the Chief Information Officer for



- 1 projects, contracts, or other agreements up to \$250,000
- 2 based upon the performance of an agency measured
- 3 against the performance plan requirements described in
- 4 the explanatory statement accompanying Public Law 113-
- 5 235.
- 6 Sec. 707. Funds made available under section 524(b)
- 7 of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in
- 8 the current fiscal year shall remain available until ex-
- 9 pended to disburse obligations made in the current fiscal
- 10 year.
- 11 Sec. 708. Notwithstanding any other provision of
- 12 law, any former RUS borrower that has repaid or prepaid
- 13 an insured, direct or guaranteed loan under the Rural
- 14 Electrification Act of 1936, or any not-for-profit utility
- 15 that is eligible to receive an insured or direct loan under
- 16 such Act, shall be eligible for assistance under section
- 17 313(b)(2)(B) of such Act in the same manner as a bor-
- 18 rower under such Act.
- 19 Sec. 709. Except as otherwise specifically provided
- 20 by law, not more than \$20,000,000 in unobligated bal-
- 21 ances from appropriations made available for salaries and
- 22 expenses in this Act for the Farm Service Agency shall
- 23 remain available through September 30, 2020, for infor-
- 24 mation technology expenses: Provided, That except as oth-
- 25 erwise specifically provided by law, unobligated balances



- from appropriations made available for salaries and expenses in this Act for the Rural Development mission area 3 shall remain available through September 30, 2020, for information technology expenses. 5 Sec. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in 8 contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations. 10 Sec. 711. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 12 113–79) or by a successor to that Act, other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation— 16 17 (1) such funds shall be available for salaries 18 and related administrative expenses, including tech-19 nical assistance, associated with the implementation 20 of the program, without regard to the limitation on the total amount of allotments and fund transfers
- the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit
- Corporation Charter Act (15 U.S.C. 714i); and
- 24 (2) the use of such funds for such purpose shall 25 not be considered to be a fund transfer or allotment



- 1 for purposes of applying the limitation on the total
- 2 amount of allotments and fund transfers contained
- 3 in such section.
- 4 Sec. 712. Of the funds made available by this Act,
- 5 not more than \$2,900,000 shall be used to cover necessary
- 6 expenses of activities related to all advisory committees,
- 7 panels, commissions, and task forces of the Department
- 8 of Agriculture, except for panels used to comply with nego-
- 9 tiated rule makings and panels used to evaluate competi-
- 10 tively awarded grants.
- 11 Sec. 713. None of the funds in this Act shall be avail-
- 12 able to pay indirect costs charged against any agricultural
- 13 research, education, or extension grant awards issued by
- 14 the National Institute of Food and Agriculture that exceed
- 15 30 percent of total Federal funds provided under each
- 16 award: Provided, That notwithstanding section 1462 of
- 17 the National Agricultural Research, Extension, and
- 18 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-
- 19 vided by this Act for grants awarded competitively by the
- 20 National Institute of Food and Agriculture shall be avail-
- 21 able to pay full allowable indirect costs for each grant
- 22 awarded under section 9 of the Small Business Act (15
- 23 U.S.C. 638).
- Sec. 714. (a) None of the funds made available in
- 25 this Act may be used to maintain or establish a computer



- 1 network unless such network blocks the viewing,
- 2 downloading, and exchanging of pornography.
- 3 (b) Nothing in subsection (a) shall limit the use of
- 4 funds necessary for any Federal, State, tribal, or local law
- 5 enforcement agency or any other entity carrying out crimi-
- 6 nal investigations, prosecution, or adjudication activities.
- 7 Sec. 715. Notwithstanding subsection (b) of section
- 8 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this
- 9 section referred to as "section 14222"), none of the funds
- 10 appropriated or otherwise made available by this or any
- 11 other Act shall be used to pay the salaries and expenses
- 12 of personnel to carry out a program under section 32 of
- 13 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
- 14 referred to as "section 32") in excess of \$1,299,600,000
- 15 (exclusive of carryover appropriations from prior fiscal
- 16 years), as follows: Child Nutrition Programs Entitlement
- 17 Commodities—\$485,000,000; State Option Contracts—
- 18 \$5,000,000; Removal of Defective Commodities—
- 19 \$2,500,000; Administration of Section 32 Commodity
- 20 Purchases—\$35,853,000: Provided, That of the total
- 21 funds made available in the matter preceding this proviso
- 22 that remain unobligated on October 1, 2019, such unobli-
- 23 gated balances shall carryover into fiscal year 2020 and
- 24 shall remain available until expended for any of the pur-
- 25 poses of section 32, except that any such carryover funds



- 1 used in accordance with clause (3) of section 32 may not
- 2 exceed \$350,000,000 and may not be obligated until the
- 3 Secretary of Agriculture provides written notification of
- 4 the expenditures to the Committees on Appropriations of
- 5 both Houses of Congress at least two weeks in advance:
- 6 Provided further, That, with the exception of any available
- 7 carryover funds authorized in any prior appropriations Act
- 8 to be used for the purposes of clause (3) of section 32,
- 9 none of the funds appropriated or otherwise made avail-
- 10 able by this or any other Act shall be used to pay the
- 11 salaries or expenses of any employee of the Department
- 12 of Agriculture to carry out clause (3) of section 32.
- 13 Sec. 716. None of the funds appropriated by this or
- 14 any other Act shall be used to pay the salaries and ex-
- 15 penses of personnel who prepare or submit appropriations
- 16 language as part of the President's budget submission to
- 17 the Congress for programs under the jurisdiction of the
- 18 Appropriations Subcommittees on Agriculture, Rural De-
- 19 velopment, Food and Drug Administration, and Related
- 20 Agencies that assumes revenues or reflects a reduction
- 21 from the previous year due to user fees proposals that
- 22 have not been enacted into law prior to the submission
- 23 of the budget unless such budget submission identifies
- 24 which additional spending reductions should occur in the
- 25 event the user fees proposals are not enacted prior to the



1	date of the convening of a committee of conference for
2	the fiscal year 2020 appropriations Act.
3	Sec. 717. (a) None of the funds provided by this Act,
4	or provided by previous appropriations Acts to the agen-
5	cies funded by this Act that remain available for obligation
6	or expenditure in the current fiscal year, or provided from
7	any accounts in the Treasury derived by the collection of
8	fees available to the agencies funded by this Act, shall be
9	available for obligation or expenditure through a re-
10	programming, transfer of funds, or reimbursements as au-
11	thorized by the Economy Act, or in the case of the Depart-
12	ment of Agriculture, through use of the authority provided
13	by section 702(b) of the Department of Agriculture Or-
14	ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
15	Law 89–106 (7 U.S.C. 2263), that—
16	(1) creates new programs;
17	(2) eliminates a program, project, or activity;
18	(3) increases funds or personnel by any means
19	for any project or activity for which funds have been
20	denied or restricted;
21	(4) relocates an office or employees;
22	(5) reorganizes offices, programs, or activities;
23	or
24	(6) contracts out or privatizes any functions or
25	activities presently performed by Federal employees;



1	unless the Secretary of Agriculture, or the Secretary of
2	Health and Human Services (as the case may be) notifies
3	in writing and receives approval from the Committees on
4	Appropriations of both Houses of Congress at least 30
5	days in advance of the reprogramming of such funds or
6	the use of such authority.
7	(b) None of the funds provided by this Act, or pro-
8	vided by previous Appropriations Acts to the agencies
9	funded by this Act that remain available for obligation or
10	expenditure in the current fiscal year, or provided from
11	any accounts in the Treasury derived by the collection of
12	fees available to the agencies funded by this Act, shall be
13	available for obligation or expenditure for activities, pro-
14	grams, or projects through a reprogramming or use of the
15	authorities referred to in subsection (a) involving funds
16	in excess of $\$500,000$ or 10 percent, whichever is less,
17	that—
18	(1) augments existing programs, projects, or ac-
19	tivities;
20	(2) reduces by 10 percent funding for any exist-
21	ing program, project, or activity, or numbers of per-
22	sonnel by 10 percent as approved by Congress; or
23	(3) results from any general savings from a re-
24	duction in personnel which would result in a change



25

in existing programs, activities, or projects as ap-

1	proved by Congress; unless the Secretary of Agri-
2	culture or the Secretary of Health and Human Serv-
3	ices (as the case may be) notifies in writing and re-
4	ceives approval from the Committees on Appropria-
5	tions of both Houses of Congress at least 30 days
6	in advance of the reprogramming or transfer of such
7	funds or the use of such authority.
8	(c) The Secretary of Agriculture or the Secretary of
9	Health and Human Services shall notify in writing and
10	receive approval from the Committees on Appropriations
11	of both Houses of Congress before implementing any pro-
12	gram or activity not carried out during the previous fiscal
13	year unless the program or activity is funded by this Act
14	or specifically funded by any other Act.
15	(d) None of the funds provided by this Act, or pro-
16	vided by previous Appropriations Acts to the agencies
17	funded by this Act that remain available for obligation or
18	expenditure in the current fiscal year, or provided from
19	any accounts in the Treasury derived by the collection of
20	fees available to the agencies funded by this Act, shall be
21	available for—
22	(1) modifying major capital investments fund-
23	ing levels, including information technology systems,
24	that involves increasing or decreasing funds in the
25	current fiscal year for the individual investment in



1	excess of \$500,000 or 10 percent of the total cost,
2	whichever is less;
3	(2) realigning or reorganizing new, current, or
4	vacant positions or agency activities or functions to
5	establish a center, office, branch, or similar entity
6	with five or more personnel; or
7	(3) carrying out activities or functions that
8	were not described in the budget request; unless the
9	agencies funded by this Act notify, in writing, the
10	Committees on Appropriations of both Houses of
11	Congress at least 30 days in advance of using the
12	funds for these purposes.
13	(e) As described in this section, no funds may be used
14	for any activities unless the Secretary of Agriculture or
15	the Secretary of Health and Human Services receives from
16	the Committee on Appropriations of both Houses of Con-
17	gress written or electronic mail confirmation of receipt of
18	the notification as required in this section.
19	Sec. 718. Notwithstanding section 310B(g)(5) of the
20	Consolidated Farm and Rural Development Act (7 U.S.C.
21	1932(g)(5)), the Secretary may assess a one-time fee for
22	any guaranteed business and industry loan in an amount
23	that does not exceed 3 percent of the guaranteed principal
24	portion of the loan.



- 1 Sec. 719. None of the funds appropriated or other-
- 2 wise made available to the Department of Agriculture, the
- 3 Food and Drug Administration, or the Farm Credit Ad-
- 4 ministration shall be used to transmit or otherwise make
- 5 available reports, questions, or responses to questions that
- 6 are a result of information requested for the appropria-
- 7 tions hearing process to any non-Department of Agri-
- 8 culture, non-Department of Health and Human Services,
- 9 or non-Farm Credit Administration employee.
- 10 Sec. 720. Unless otherwise authorized by existing
- 11 law, none of the funds provided in this Act, may be used
- 12 by an executive branch agency to produce any pre-
- 13 packaged news story intended for broadcast or distribution
- 14 in the United States unless the story includes a clear noti-
- 15 fication within the text or audio of the prepackaged news
- 16 story that the prepackaged news story was prepared or
- 17 funded by that executive branch agency.
- 18 Sec. 721. No employee of the Department of Agri-
- 19 culture may be detailed or assigned from an agency or
- 20 office funded by this Act or any other Act to any other
- 21 agency or office of the Department for more than 60 days
- 22 in a fiscal year unless the individual's employing agency
- 23 or office is fully reimbursed by the receiving agency or
- 24 office for the salary and expenses of the employee for the
- 25 period of assignment.



- 1 Sec. 722. For the purposes of determining eligibility
- 2 or level of program assistance for Rural Development pro-
- 3 grams the Secretary shall not include incarcerated prison
- 4 populations.
- 5 Sec. 723. Not later than 30 days after the date of
- 6 enactment of this Act, the Secretary of Agriculture, the
- 7 Commissioner of the Food and Drug Administration, and
- 8 the Chairman of the Farm Credit Administration shall
- 9 submit to the Committees on Appropriations of both
- 10 Houses of Congress a detailed spending plan by program,
- 11 project, and activity for all the funds made available under
- 12 this Act including appropriated user fees, as defined in
- 13 the joint explanatory statement accompanying this Act.
- 14 Sec. 724. Of the unobligated balances from amounts
- 15 made available for the supplemental nutrition program as
- 16 authorized by section 17 of the Child Nutrition Act of
- 17 1966 (42 U.S.C. 1786), \$500,000,000 are hereby re-
- 18 scinded.
- 19 Sec. 725. The Secretary shall continue an inter-
- 20 mediary loan packaging program based on the pilot pro-
- 21 gram in effect for fiscal year 2013 for packaging and re-
- 22 viewing section 502 single family direct loans. The Sec-
- 23 retary shall continue agreements with current inter-
- 24 mediary organizations and with additional qualified inter-
- 25 mediary organizations. The Secretary shall work with



- 1 these organizations to increase effectiveness of the section
- 2 502 single family direct loan program in rural commu-
- 3 nities and shall set aside and make available from the na-
- 4 tional reserve section 502 loans an amount necessary to
- 5 support the work of such intermediaries and provide a pri-
- 6 ority for review of such loans.
- 7 Sec. 726. For loans and loan guarantees that do not
- 8 require budget authority and the program level has been
- 9 established in this Act, the Secretary of Agriculture may
- 10 increase the program level for such loans and loan guaran-
- 11 tees by not more than 25 percent: Provided, That prior
- 12 to the Secretary implementing such an increase, the Sec-
- 13 retary notifies, in writing, the Committees on Appropria-
- 14 tions of both Houses of Congress at least 15 days in ad-
- 15 vance.
- 16 Sec. 727. None of the credit card refunds or rebates
- 17 transferred to the Working Capital Fund pursuant to sec-
- 18 tion 729 of the Agriculture, Rural Development, Food and
- 19 Drug Administration, and Related Agencies Appropria-
- 20 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107–76)
- 21 shall be available for obligation without written notifica-
- 22 tion to, and the prior approval of, the Committees on Ap-
- 23 propriations of both Houses of Congress: Provided, That
- 24 the refunds or rebates so transferred shall be available for
- 25 obligation only for the acquisition of plant and capital



1	equipment	necessary	for	the	delivery	of	financial,	adminis-
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- 2 trative, and information technology services of primary
- 3 benefit to the agencies of the Department of Agriculture.
- 4 Sec. 728. None of the funds made available by this
- 5 Act may be used to implement, administer, or enforce the
- 6 "variety" requirements of the final rule entitled "Enhanc-
- 7 ing Retailer Standards in the Supplemental Nutrition As-
- 8 sistance Program (SNAP)" published by the Department
- 9 of Agriculture in the Federal Register on December 15,
- 10 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
- 11 culture amends the definition of the term "variety" as de
- 12 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
- 13 eral Regulations, and "variety" as applied in the definition
- 14 of the term "staple food" as defined in section 271.2 of
- 15 title 7, Code of Federal Regulations, to increase the num-
- 16 ber of items that qualify as acceptable varieties in each
- 17 staple food category so that the total number of such items
- 18 in each staple food category exceeds the number of such
- 19 items in each staple food category included in the final
- 20 rule as published on December 15, 2016: Provided, That
- 21 until the Secretary promulgates such regulatory amend-
- 22 ments, the Secretary shall apply the requirements regard-
- 23 ing acceptable varieties and breadth of stock to Supple-
- 24 mental Nutrition Assistance Program retailers that were



- 1 in effect on the day before the date of the enactment of
- 2 the Agricultural Act of 2014 (Public Law 113–79).
- 3 Sec. 729. None of the funds made available by this
- 4 Act or any other Act may be used—
- 5 (1) in contravention of section 7606 of the Ag-
- 6 ricultural Act of 2014 (7 U.S.C. 5940); or
- 7 (2) to prohibit the transportation, processing,
- 8 sale, or use of industrial hemp, or seeds of such
- 9 plant, that is grown or cultivated in accordance with
- subsection section 7606 of the Agricultural Act of
- 11 2014, within or outside the State in which the indus-
- trial hemp is grown or cultivated.
- 13 Sec. 730. Funds provided by this or any prior Appro-
- 14 priations Act for the Agriculture and Food Research Ini-
- 15 tiative under 7 U.S.C. 450i(b) shall be made available
- 16 without regard to section 7128 of the Agricultural Act of
- 17 2014 (7 U.S.C. 3371 note), under the matching require-
- 18 ments in laws in effect on the date before the date of en-
- 19 actment of such section: Provided, That the requirements
- 20 of 7 U.S.C. 450i(b)(9) shall continue to apply.
- 21 Sec. 731. In carrying out subsection (h) of section
- 22 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
- 23 Secretary of Agriculture shall have the same authority
- 24 with respect to loans guaranteed under such section and
- 25 eligible lenders for such loans as the Secretary has under



- 1 subsections (h) and (j) of section 538 of such Act (42
- 2 U.S.C. 1490p-2) with respect to loans guaranteed under
- 3 such section 538 and eligible lenders for such loans.
- 4 Sec. 732. None of the funds made available by this
- 5 Act may be used to propose, promulgate, or implement
- 6 any rule, or take any other action with respect to, allowing
- 7 or requiring information intended for a prescribing health
- 8 care professional, in the case of a drug or biological prod-
- 9 uct subject to section 503(b)(1) of the Federal Food,
- 10 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
- 11 tributed to such professional electronically (in lieu of in
- 12 paper form) unless and until a Federal law is enacted to
- 13 allow or require such distribution.
- 14 Sec. 733. None of the funds made available by this
- 15 Act may be used to notify a sponsor or otherwise acknowl-
- 16 edge receipt of a submission for an exemption for inves-
- 17 tigational use of a drug or biological product under section
- 18 505(i) of the Federal Food, Drug, and Cosmetic Act (21
- 19 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
- 20 Service Act (42 U.S.C. 262(a)(3)) in research in which
- 21 a human embryo is intentionally created or modified to
- 22 include a heritable genetic modification. Any such submis-
- 23 sion shall be deemed to have not been received by the Sec-
- 24 retary, and the exemption may not go into effect.



- 1 Sec. 734. None of the funds made available by this
- 2 or any other Act may be used to carry out the final rule
- 3 promulgated by the Food and Drug Administration and
- 4 put into effect November 16, 2015, in regards to the haz-
- 5 ard analysis and risk-based preventive control require-
- 6 ments of the current good manufacturing practice, hazard
- 7 analysis, and risk-based preventive controls for food for
- 8 animals rule with respect to the regulation of the produc-
- 9 tion, distribution, sale, or receipt of dried spent grain by-
- 10 products of the alcoholic beverage production process.
- 11 Sec. 735. Hereafter, notwithstanding 5 U.S.C.5315,
- 12 the Administrator for Rural Utilities Service, U.S. De-
- 13 partment of Agriculture, shall receive basic pay at a rate
- 14 not to exceed the maximum amount of compensation pay-
- 15 able to a member of the Senior Executive Service under
- 16 subsection (b) of section 5382 of title 5 United States
- 17 Code, except that the certification requirement in that
- 18 subsection shall not apply to the compensation of the Ad-
- 19 ministrator.
- Sec. 736. Funds made available under title II of the
- 21 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
- 22 used to provide assistance to recipient nations if adequate
- 23 monitoring and controls, as determined by the Adminis-
- 24 trator, are in place to ensure that emergency food aid is
- 25 received by the intended beneficiaries in areas affected by



- 1 food shortages and not diverted for unauthorized or inap-
- 2 propriate purposes.
- 3 Sec. 737. None of the funds made available by this
- 4 Act may be used by the Secretary of Agriculture, acting
- 5 through the Food and Nutrition Service, to commence any
- 6 new research and evaluation projects until the Secretary
- 7 submits to the Committees on Appropriations of both
- 8 Houses of Congress a research and evaluation plan for fis-
- 9 cal year 2019, prepared in coordination with the Research,
- 10 Education, and Economics mission area of the Depart-
- 11 ment of Agriculture, and a period of 30 days beginning
- 12 on the date of the submission of the plan expires to permit
- 13 Congressional review of the plan.
- SEC. 738. There is hereby appropriated \$10,000,000,
- 15 to remain available until expended, to carry out section
- 16 6407 of the Farm Security and Rural Investment Act of
- 17 2002 (7 U.S.C. 8107a): Provided, That the Secretary may
- 18 allow eligible entities, or comparable entities that provide
- 19 energy efficiency services using their own billing mecha-
- 20 nism to offer loans to customers in any part of their serv-
- 21 ice territory and to offer loans to replace a manufactured
- 22 housing unit with another manufactured housing unit, if
- 23 replacement would be more cost effective in saving energy.
- 24 Sec. 739. (a) The Secretary of Agriculture shall—



1	(1) conduct audits in a manner that evaluates					
2	the following factors in the country or region being					
3	audited, as applicable—					
4	(A) veterinary control and oversight;					
5	(B) disease history and vaccination prac-					
6	tices;					
7	(C) livestock demographics and					
8	traceability;					
9	(D) epidemiological separation from poten-					
10	tial sources of infection;					
11	(E) surveillance practices;					
12	(F) diagnostic laboratory capabilities; and					
13	(G) emergency preparedness and response;					
14	and					
15	(2) promptly make publicly available the final					
16	reports of any audits or reviews conducted pursuant					
17	to subsection (1).					
18	(b) This section shall be applied in a manner con-					
19	sistent with United States obligations under its inter-					
20	national trade agreements.					
21	Sec. 740. No food that bears or contains partially					
22	hydrogenated oils (as defined in the order published by					
23	the Food and Drug Administration in the Federal Reg-					
24	ister on June 17, 2015 (80 Fed. Reg. 34650 et seq.)) shall					
25	be considered to be adulterated within the meaning of sub-					



- 1 section (a)(1) or (a)(2)(C)(i) of section 402 of the Federal
- 2 Food, Drug, and Cosmetic Act (21 U.S.C. 342(a)) because
- 3 such food contains such partially hydrogenated oils until
- 4 the applicable compliance dates specified by FDA in the
- 5 Federal Register on May 21, 2018 (83 Fed. Reg. 23358)
- 6 et seq.).
- 7 Sec. 741. For fiscal years 2019 through 2025, the
- 8 Administrators of the Agricultural Research Service and
- 9 the Animal and Plant Health Inspection Service may
- 10 make not to exceed 50 appointments in any fiscal year
- 11 for employees of such agencies at the National Bio- and
- 12 Agro-defense Facility (NBAF) in Manhattan, Kansas:
- 13 Provided, That such appointments may be made in the
- 14 manner provided by 7 U.S.C. 7657(b)(4)(A)(i-v): Pro-
- 15 vided further, That such appointments may be made at
- 16 a rate of basic pay that exceeds the rate payable for such
- 17 positions under the General Schedule or other applicable
- 18 schedule, as appropriate, but may not be more than the
- 19 rate payable for a position at level I of the Executive
- 20 Schedule, unless the rate is approved by the President
- 21 under section 5377(d)(2) of title 5.
- Sec. 742. There is hereby appropriated \$1,000,000
- 23 for the Secretary to carry out a pilot program that pro-
- 24 vides forestry inventory analysis, forest management and
- 25 economic outcomes modelling for certain currently en-



- 1 rolled Conservation Reserve Program participants. The
- 2 Secretary shall allow the Commodity Credit Corporation
- 3 to enter into agreements with and provide grants to quali-
- 4 fied non-profit organizations dedicated to conservation,
- 5 forestry and wildlife habitats, that also have experience in
- 6 conducting accurate forest inventory analysis through the
- 7 use of advanced, cost-effective technology. The Secretary
- 8 shall focus the analysis on lands enrolled for at least eight
- 9 years and located in areas with a substantial concentration
- 10 of acres enrolled under conservation practices devoted to
- 11 multiple bottomland hardwood tree species including
- 12 CP03, CP03A, CP11, CP22, CP31 and CP40.
- 13 Sec. 743. In addition to amounts otherwise made
- 14 available by this Act and notwithstanding the last sentence
- 15 of 16 U.S.C. 1310, there is appropriated \$4,000,000, to
- 16 remain available until expended, to implement non-renew-
- 17 able agreements on eligible lands, including flooded agri-
- 18 cultural lands, as determined by the Secretary, under the
- 19 Water Bank Act (16 U.S.C. 1301-1311).
- Sec. 744. There is hereby appropriated \$1,996,000
- 21 to carry out section 1621 of Public Law 110-246.
- Sec. 745. None of the funds made available by this
- 23 Act may be used to carry out any activities or incur any
- 24 expense related to the issuance of licenses under section
- 25 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-



- 1 newal of such licenses, to class B dealers who sell dogs
- 2 and cats for use in research, experiments, teaching, or
- 3 testing.
- 4 Sec. 746. There is appropriated \$6,000,000 to the
- 5 Commodity Credit Corporation, in addition to amounts
- 6 otherwise made available, for section 1110(f)(3) of the
- 7 Food Security Act of 1985 (7 U.S.C. 1736o(f)(3)).
- 8 Sec. 747. (a)(1) No Federal funds made available for
- 9 this fiscal year for the rural water, waste water, waste dis-
- 10 posal, and solid waste management programs authorized
- 11 by sections 306, 306A, 306C, 306D, 306E, and 310B of
- 12 the Consolidated Farm and Rural Development Act (7
- 13 U.S.C. 1926 et seq.) shall be used for a project for the
- 14 construction, alteration, maintenance, or repair of a public
- 15 water or wastewater system unless all of the iron and steel
- 16 products used in the project are produced in the United
- 17 States.
- 18 (2) In this section, the term "iron and steel products"
- 19 means the following products made primarily of iron or
- 20 steel: lined or unlined pipes and fittings, manhole covers
- 21 and other municipal castings, hydrants, tanks, flanges,
- 22 pipe clamps and restraints, valves, structural steel, rein-
- 23 forced precast concrete, and construction materials.
- 24 (b) Subsection (a) shall not apply in any case or cat-
- 25 egory of cases in which the Secretary of Agriculture (in



1	this section referred to as the "Secretary") or the designee
2	of the Secretary finds that—
3	(1) applying subsection (a) would be incon-
4	sistent with the public interest;
5	(2) iron and steel products are not produced in
6	the United States in sufficient and reasonably avail-
7	able quantities or of a satisfactory quality; or
8	(3) inclusion of iron and steel products pro-
9	duced in the United States will increase the cost of
10	the overall project by more than 25 percent.
11	(c) If the Secretary or the designee receives a request
12	for a waiver under this section, the Secretary or the des-
13	ignee shall make available to the public on an informal
14	basis a copy of the request and information available to
15	the Secretary or the designee concerning the request, and
16	shall allow for informal public input on the request for
17	at least 15 days prior to making a finding based on the
18	request. The Secretary or the designee shall make the re-
19	quest and accompanying information available by elec-
20	tronic means, including on the official public Internet Web
21	site of the Department.
22	(d) This section shall be applied in a manner con-
23	sistent with United States obligations under international
24	agreements.



- 1 (e) The Secretary may retain up to 0.25 percent of
- 2 the funds appropriated in this Act for "Rural Utilities"
- 3 Service—Rural Water and Waste Disposal Program Ac-
- 4 count" for carrying out the provisions described in sub-
- 5 section (a)(1) for management and oversight of the re-
- 6 quirements of this section.
- 7 (f) Subsection (a) shall not apply with respect to a
- 8 project for which the engineering plans and specifications
- 9 include use of iron and steel products otherwise prohibited
- 10 by such subsection if the plans and specifications have re-
- 11 ceived required approvals from State agencies prior to the
- 12 date of enactment of this Act.
- 13 (g) For purposes of this section, the terms "United
- 14 States" and "State" shall include each of the several
- 15 States, the District of Columbia, and each federally recog-
- 16 nized Indian tribe.
- 17 Sec. 748. The Secretary shall set aside for Rural
- 18 Economic Area Partnership (REAP) Zones, until August
- 19 15, 2019, an amount of funds made available in title III
- 20 under the headings of Rural Housing Insurance Fund
- 21 Program Account, Mutual and Self-Help Housing Grants,
- 22 Rural Housing Assistance Grants, Rural Community Fa-
- 23 cilities Program Account, Rural Business Program Ac-
- 24 count, Rural Development Loan Fund Program Account,
- 25 and Rural Water and Waste Disposal Program Account,



- 1 equal to the amount obligated in REAP Zones with re-
- 2 spect to funds provided under such headings in the most
- 3 recent fiscal year any such funds were obligated under
- 4 such headings for REAP Zones.
- 5 Sec. 749. There is hereby appropriated \$1,000,000,
- 6 to remain available until expended, for a pilot program
- 7 for the Secretary to provide grants to qualified non-profit
- 8 organizations and public housing authorities to provide
- 9 technical assistance, including financial and legal services,
- 10 to RHS multi-family housing borrowers to facilitate the
- 11 acquisition of RHS multi-family housing properties in
- 12 areas where the Secretary determines a risk of loss of af-
- 13 fordable housing, by non-profit housing organizations and
- 14 public housing authorities as authorized by law that com-
- 15 mit to keep such properties in the RHS multi-family hous-
- 16 ing program for a period of time as determined by the
- 17 Secretary.
- 18 Sec. 750. None of the funds appropriated by this Act
- 19 may be used in any way, directly or indirectly, to influence
- 20 congressional action on any legislation or appropriation
- 21 matters pending before Congress, other than to commu-
- 22 nicate to Members of Congress as described in 18 U.S.C.
- 23 1913.
- 24 Sec. 751. (a) The Secretary of Agriculture (referred
- 25 to in this section as the "Secretary") shall carry out a



1	pilot program during fiscal year 2019 with respect to the
2	2018 crop year for county-level agriculture risk coverage
3	payments under section $1117(b)(1)$ of the Agricultural Act
4	of 2014 (7 U.S.C. 9017(b)(1)), that provides all or some
5	of the State Farm Service Agency offices in each State
6	the opportunity to provide agricultural producers in the
7	State a supplemental payment described in subsection (c)
8	based on the alternate calculation method described in
9	subsection (b) for 1 or more counties in a State if the
10	office for that State determines that the alternate calcula-
11	tion method is necessary to ensure that, to the maximum
12	extent practicable, there are not significant yield calcula-
13	tion disparities between comparable counties in the State.
14	(b) The alternate calculation method referred to in
15	subsection (a) is a method of calculating the actual yield
16	for the 2018 crop year for county-level agriculture risk
17	coverage payments under section 1117(b)(1) of the Agri-
18	cultural Act of 2014 (7 U.S.C. $9017(b)(1)$), under
19	which—
20	(1) county data of the National Agricultural
21	Statistics Service (referred to in this section as
22	"NASS data") is used for the calculations;
23	(2) if there is insufficient NASS data for a
24	county (as determined under standards of the Sec-
25	retary in effect as of the date of enactment of this



1	Act) or the available NASS data produces a sub
2	stantially disparate result, the calculation of the
3	county yield is determined using comparable contig
4	uous county NASS data as determined by the Farm
5	Service Agency office in the applicable State; and
6	(3) if there is insufficient NASS data for a
7	comparable contiguous county (as determined under
8	standards of the Secretary in effect as of the date
9	of enactment of this Act), the calculation of the
10	county yield is determined using reliable yield data
11	from other sources, such as Risk Management Agen
12	cy data, National Agricultural Statistics Service dis
13	trict data, National Agricultural Statistics Service
14	State yield data, or other data as determined by the
15	Farm Service Agency office in the applicable State
16	(c)(1) A supplemental payment made under the pilot
17	program established under this section may be made to
18	an agricultural producer who is subject to the alternate
19	calculation method described in subsection (b) if that agri
20	cultural producer would otherwise receive a county-leve
21	agriculture risk coverage payment for the 2018 crop year
22	in an amount that is less than the payment that the agri
23	cultural producer would receive under the alternate cal
24	culation method.



1	(2) The amount of a supplemental payment to an ag-
2	ricultural producer under this section may not exceed the
3	difference between—
4	(A) the payment that the agricultural producer
5	would have received without the alternate calculation
6	method described in subsection (b); and
7	(B) the payment that the agricultural producer
8	would receive using the alternate calculation method
9	(d)(1) There is appropriated to the Secretary, out of
10	funds of the Treasury not otherwise appropriated
11	\$5,000,000, to remain available until September 30, 2020
12	to carry out the pilot program described in this section
13	(2) Of the funds appropriated, the Secretary shall use
14	not more than \$5,000,000 to carry out the pilot program
15	described in this section.
16	(e)(1) To the maximum extent practicable, the Sec-
17	retary shall select States to participate in the pilot pro-
18	gram under this section so the cost of the pilot program
19	equals the amount provided under subsection (d).
20	(2) To the extent that the cost of the pilot program
21	exceeds the amount made available, the Secretary shall re-
22	duce all payments under the pilot program on a pro rata
23	basis.
24	(f) Nothing in this section affects the calculation of
25	actual yield for nurnoses of county-level agriculture risk



- 1 coverage payments under section 1117(b)(1) of the Agri-
- 2 cultural Act of 2014 (7 U.S.C. 9017(b)(1)) other than
- 3 payments made in accordance with the pilot program
- 4 under this section.
- 5 (g) A calculation of actual yield made using the alter-
- 6 nate calculation method described in subsection (b) shall
- 7 not be used as a basis for any agriculture risk coverage
- 8 payment determinations under section 1117 of the Agri-
- 9 cultural Act of 2014 (7 U.S.C. 9017) other than for pur-
- 10 poses of the pilot program under this section.
- 11 Sec. 752. The Secretary of Agriculture and the Sec-
- 12 retary's designees are hereby granted the same access to
- 13 information and subject to the same requirements applica-
- 14 ble to the Secretary of Housing and Urban Development
- 15 as provided in section 453 of the Social Security Act (42
- 16 U.S.C. 653) and section 6103(1)(7)(D)(ix) of the Internal
- 17 Revenue Code of 1986 (26 U.S.C. 1603(1)(7)(D)(ix)) to
- 18 verify the income for individuals participating in sections
- 19 502, 504, 521, and 542 of the Housing Act of 1949 (42
- 20 U.S.C. 1472, 1474, 1490a, and 1490r), notwithstanding
- 21 section 453(l)(1) of the Social Security Act.
- Sec. 753. None of the funds made available by this
- 23 Act may be used to procure raw or processed poultry prod-
- 24 ucts imported into the United States from the People's
- 25 Republic of China for use in the school lunch program



1	under the Richard B. Russell National School Lunch Act
2	(42 U.S.C. 1751 et seq.), the Child and Adult Care Food
3	Program under section 17 of such Act (42 U.S.C. 1766),
4	the Summer Food Service Program for Children under
5	section 13 of such Act (42 U.S.C. 1761), or the school
6	breakfast program under the Child Nutrition Act of 1966
7	(42 U.S.C. 1771 et seq.).
8	Sec. 754. (a) Not later than 60 days after the date
9	of the enactment of this Act, the Secretary of Agriculture
10	and the Commissioner of Food and Drugs shall enter into
11	a formal agreement under which the responsibilities of the
12	two agencies for the regulation of cell-cultured food prod-
13	ucts derived from livestock and poultry are delineated as
14	follows:
15	(1) The Food and Drug Administration shall be
16	responsible for overseeing cell collection, cell banks,
17	and cell growth and differentiation.
18	(2) The Food and Drug Administration and the
19	Department of Agriculture shall effect the transition
20	from the Food and Drug Administration to the De-
21	partment of Agriculture of oversight authority dur-
22	ing the cell harvest stage.
23	(3) The Department of Agriculture shall be re-
24	sponsible for overseeing the processing, preparation,



- 1 packaging, and labeling of such food products, after
- 2 the oversight transfer during the cell harvest phase.
- 3 (b)(1) Section 1(j) of the Federal Meat Inspection
- 4 Act (21 U.S.C. 601(j)) is amended in the first sentence
- 5 by inserting "or, during and after harvest, cell-cultured
- 6 products derived from amenable species," before "except-
- 7 ing products".
- 8 (2) Section 4(f) of the Poultry Products Inspection
- 9 Act (21 U.S.C. 453(f)) is amended by striking "or part
- 10 thereof, excepting" and inserting "or part thereof, or, dur-
- 11 ing and after harvest, cell-cultured products derived from
- 12 poultry, excepting".
- 13 Sec. 755. In response to an eligible community where
- 14 the drinking water supplies are inadequate due to a nat-
- 15 ural disaster, as determined by the Secretary, including
- 16 drought or severe weather, the Secretary may provide po-
- 17 table water through the Emergency Community Water As-
- 18 sistance Grant Program for an additional period of time
- 19 not to exceed 120 days beyond the established period pro-
- 20 vided under the Program in order to protect public health.
- 21 Sec. 756. Of the total amounts made available by
- 22 this Act for direct loans and grants in the following head-
- 23 ings: "Rural Housing Service—Rural Housing Insurance
- 24 Fund Program Account"; "Rural Housing Service—Mu-
- 25 tual and Self-Help Housing Grants"; "Rural Housing



- 1 Service—Rural Housing Assistance Grants"; "Rural
- 2 Housing Service—Rural Community Facilities Program
- 3 Account"; "Rural Business-Cooperative Service—Rural
- 4 Business Program Account"; "Rural Business-Coopera-
- 5 tive Service—Rural Economic Development Loans Pro-
- 6 gram Account"; "Rural Business-Cooperative Service—
- 7 Rural Cooperative Development Grants"; "Rural Utilities
- 8 Service—Rural Water and Waste Disposal Program Ac-
- 9 count"; "Rural Utilities Service—Rural Electrification
- 10 and Telecommunications Loans Program Account"; and
- 11 "Rural Utilities Service—Distance Learning, Telemedi-
- 12 cine, and Broadband Program", to the maximum extent
- 13 feasible, at least 10 percent of the funds shall be allocated
- 14 for assistance in persistent poverty counties under this
- 15 section, including, notwithstanding any other provision re-
- 16 garding population limits, any county seat of such a per-
- 17 sistent poverty county that has a population that does not
- 18 exceed the authorized population limit by more than 10
- 19 percent: *Provided*, That for purposes of this section, the
- 20 term "persistent poverty counties" means any county that
- 21 has had 20 percent or more of its population living in pov-
- 22 erty over the past 30 years, as measured by the 1980,
- 23 1990, and 2000 decennial censuses, and 2007–2011
- 24 American Community Survey 5-year average: Provided
- 25 further, That with respect to specific activities for which



1	program levels have been made available by this Act that
2	are not supported by budget authority, the requirements
3	of this section shall be applied to such program level.
4	Sec. 757. (a) No funds shall be used to finalize the
5	proposed rule entitled "Eligibility of the People's Republic
6	of China (PRC) to Export to the United States Poultry
7	Products from Birds Slaughtered in the PRC" published
8	in the Federal Register by the Department of Agriculture
9	on June 16, 2017 (82 Fed. Reg. 27625), unless the Sec-
10	retary of Agriculture shall—
11	(1) ensure that the poultry slaughter inspection
12	system for the PRC is equivalent to that of the
13	United States;
14	(2) ensure that, before any poultry products
15	can enter the United States from any such poultry
16	plant, such poultry products comply with all other
17	applicable requirements for poultry products in
18	interstate commerce in the United States;
19	(3) conduct periodic verification reviews and au-
20	dits of any such plants in the PRC intending to ex-
21	port into the United States processed poultry prod-
22	ucts;
23	(4) conduct re-inspection of such poultry prod-
24	ucts at United States ports-of-entry to check the
25	conoral condition of such products for the propos



1	certification and labeling of such products, and for
2	any damage to such products that may have oc
3	curred during transportation; and
4	(5) ensure that shipments of any such poultry
5	products selected to enter the United States are sub
6	ject to additional re-inspection procedures at appro
7	priate levels to verify that the products comply with
8	relevant Federal regulations or standards, including
9	examinations for product defects and laboratory
10	analyses to detect harmful chemical residues of
11	pathogen testing appropriate for the products in
12	volved.
13	(b) This section shall be applied in a manner con
14	sistent with obligations of the United States under any
15	trade agreement to which the United States is a party
16	Sec. 758. In addition to any other funds made avail
17	able in this Act or any other Act, there is appropriated
18	\$5,000,000 to carry out section 18(g)(8) of the Richard
19	B. Russell National School Lunch Act (42 U.S.C
20	1769(g)), to remain available until expended.
21	Sec. 759. None of the funds made available by this
22	Act may be used by the Food and Drug Administration
23	to develop, issue, promote, or advance any regulations ap
24	plicable to food manufacturers for population-wide sodium
25	reduction actions or to develop, issue, promote or advance



- 1 final guidance applicable to food manufacturers for long
- 2 term population-wide sodium reduction actions until the
- 3 date on which a dietary reference intake report with re-
- 4 spect to sodium is completed.
- 5 Sec. 760. There is hereby appropriated \$2,000,000,
- 6 to remain available until September 30, 2020, for the cost
- 7 of loans and grants that is consistent with section 4206
- 8 of the Agricultural Act of 2014, for necessary expenses
- 9 of the Secretary to support projects that provide access
- 10 to healthy food in underserved areas, to create and pre-
- 11 serve quality jobs, and to revitalize low-income commu-
- 12 nities.
- 13 Sec. 761. For an additional amount for "Animal and
- 14 Plant Health Inspection Service—Salaries and Expenses",
- 15 \$8,500,000, to remain available until September 30, 2020,
- 16 for one-time control and management and associated ac-
- 17 tivities directly related to the multiple-agency response to
- 18 citrus greening.
- 19 Sec. 762. None of the funds made available by this
- 20 or any other Act may be used to enforce the final rule
- 21 promulgated by the Food and Drug Administration enti-
- 22 tled "Standards for the Growing, Harvesting, Packing,
- 23 and Holding of Produce for Human Consumption," and
- 24 published on November 27, 2015, with respect to the regu-
- 25 lation of the production, distribution, sale, or receipt of



- 1 grape varietals that are grown, harvested and used solely
- 2 for wine and receive commercial processing that ade-
- 3 quately reduces the presence of microorganisms of public
- 4 health significance.
- 5 Sec. 763. None of the funds made available by this
- 6 Act may be used to revoke an exception made—
- 7 (1) pursuant to the final rule of the Depart-
- 8 ment of Agriculture entitled "Exceptions to Geo-
- 9 graphic Areas for Official Agencies Under the
- 10 USGSA'' (68 Fed. Reg. 19137 (April 18, 2003));
- 11 and
- 12 (2) on a date before April 14, 2017.
- 13 Sec. 764. For school year 2019–2020, only a school
- 14 food authority that had a negative balance in the nonprofit
- 15 school food service account as of December 31, 2018, shall
- 16 be required to establish a price for paid lunches in accord-
- 17 ance with Section 12(p) of the Richard B. Russell Na-
- 18 tional School Lunch Act, 42 U.S.C. 1760(p).
- 19 Sec. 765. There is hereby appropriated \$16,000,000,
- 20 to remain available until expended, for an additional
- 21 amount for telemedicine and distance learning services in
- 22 rural areas, as authorized by 7 U.S.C. 950aaa et seq., to
- 23 help address the opioid epidemic in rural America.



- 1 Sec. 766. (a) There is hereby appropriated
- 2 \$125,000,000, to remain available until expended, for an
- 3 additional amount for Sec. 779 of Public Law 115–141.
- 4 (b) Section 313 of the Rural Electrification Act of
- 5 1936, as amended (7 U.S.C. 940c), shall be applied for
- 6 fiscal year 2019 as if the following were inserted after the
- 7 final period in subsection (b)(2)(B): "In addition, the Sec-
- 8 retary shall use \$425,000,000 of funds available in fiscal
- 9 year 2019 for an additional amount for the same purpose
- 10 as funds appropriated by Sec. 779 of Public Law 115–
- 11 141.": Provided, That any use of such funds shall be treat-
- 12 ed as a reprogramming of funds under section 717 of this
- 13 Act.
- 14 Sec. 767. For an additional amount for the cost of
- 15 direct loans and grants made under the "Rural Water and
- 16 Waste Disposal Program Account", \$75,000,000, to re-
- 17 main available until expended.
- 18 Sec. 768. There is hereby appropriated \$5,000,000,
- 19 to remain available until September 30, 2020, for a pilot
- 20 program for the National Institute of Food and Agri-
- 21 culture to provide grants to nonprofit organizations for
- 22 programs and services to establish and enhance farming
- 23 and ranching opportunities for military veterans.
- Sec. 769. Not later than September 30, 2019, the
- 25 Secretary of Health and Human Services shall finalize the



- 1 draft guidance for industry entitled "Bacterial Risk Con-
- 2 trol Strategies for Blood Collection Establishments and
- 3 Transfusion Services to Enhance the Safety and Avail-
- 4 ability of Platelets for Transfusion" issued by the Food
- 5 and Drug Administration in March of 2016.
- 6 Sec. 770. Not later than 180 days after the date of
- 7 the enactment of this section, the Secretary of Agriculture
- 8 shall submit a report to the Committees on Appropriations
- 9 of both Houses of Congress that includes a summary of
- 10 the process used in establishing the 2020-2025 Dietary
- 11 Guidelines for Americans published pursuant to section
- 12 301 of the National Nutrition Monitoring and Related Re-
- 13 search Act of 1990 (7 U.S.C. 5341) and an explanation
- 14 with respect to the decision to incorporate or exclude in
- 15 such Dietary Guidelines for Americans recommendations
- 16 from the report by the National Academies of Science, En-
- 17 gineering, and Medicine entitled "Redesigning the Process
- 18 for Establishing the Dietary Guidelines for Americans"
- 19 and issued September, 2017.
- Sec. 771. None of the funds made available by this
- 21 Act shall be used to implement, administer, or enforce the
- 22 requirement in the final rule entitled "Food Labeling: Re-
- 23 vision of the Nutrition and Supplement Facts Labels",
- 24 published in the Federal Register on May 27, 2016 (81
- 25 Fed. Reg. 33742), that any single ingredient sugar, honey,



1	agave, or syrup (including maple syrup) that is packaged
2	and offered for sale as a single ingredient food bear the
3	declaration "Includes 'X'g Added Sugars".
4	Sec. 772. Paragraph (4) of section 1444(a) of the
5	National Agricultural Research, Extension, and Teaching
6	Policy Act of 1977 (7 U.S.C. 3221 (a)) is amended—
7	(1) by striking "No more than" and inserting
8	the following: "For fiscal years ending on or before
9	September 30, 2018, no more than";
10	(2) by striking "by an institution" and insert-
11	ing "by an eligible institution under this section";
12	and
13	(3) by adding at the end the following new sen-
14	tence: "For fiscal years beginning on or after Octo-
15	ber 1, 2018, the limitation specified in the preceding
16	sentence shall not apply and 100 percent of such
17	funds may be carried forward to the succeeding fis-
18	cal year."
19	Sec. 773. None of the funds made available by this
20	Act may be used to implement or enforce the matter fol-
21	lowing the first comma in the second sentence of footnote
22	(c) of section 220.8(c) of title 7, Code of Federal Regula-
23	tions, with respect to the substitution of vegetables for
24	fruits under the school breakfast program established



1	under section 4 of the Child Nutrition Act of 1966 (42
2	U.S.C. 1773).
3	Sec. 774. The Secretary of Agriculture shall provide
4	to any State or county impacted by a volcanic eruption
5	covered by a major disaster declared by the President in
6	calendar year 2018 in accordance with section 401 of the
7	Robert T. Stafford Disaster Relief and Emergency Assist-
8	ance Act (42 U.S.C. 5170) technical assistance—
9	(1) to assess damage to agricultural production
10	and rural infrastructure; and
11	(2) to develop recovery plans for impacted
12	farmers, ranchers, and rural communities.
13	Sec. 775. (a) The Secretary of Agriculture, in coordi-
14	nation with the Administrator of the National Oceanic and
15	Atmospheric Administration, shall establish a working
16	group (referred to in this section as the "working
17	group'')—
18	(1) to study how mangroves, kelp forests, tidal
19	marshes, and seagrass meadows could help deacidify
20	the oceans;
21	(2) to study emerging ocean farming practices
22	that use kelp and seagrass to deacidify the oceans
23	while providing feedstock for agriculture and other
24	commercial and industrial inputs; and



1	(3) to coordinate and conduct research to de-
2	velop and enhance pilot-scale research for farming of
3	kelp and seagrass in order—
4	(A) to deacidify ocean environments;
5	(B) to produce a feedstock for agriculture;
6	and
7	(C) to develop other scalable commercial
8	applications for kelp, seagrass, or products de-
9	rived from kelp or seagrass.
0	(b) The working group shall include—
1	(1) the Secretary of Agriculture;
2	(2) the Administrator of the National Oceanic
3	and Atmospheric Administration;
4	(3) representatives of any relevant offices with-
5	in the National Oceanic and Atmospheric Adminis-
6	tration; and
7	(4) the Assistant Secretary of Energy for En-
8	ergy Efficiency and Renewable Energy.
9	(c) Not later than 2 years after the date of enactment
20	of this Act, the working group shall submit to Congress
21	a report that includes—
22	(1) the findings of the research described in
23	subsection (a);
24	(2) the results of the pilot-scale research de-
25	scribed in subsection (a)(3): and



1	(3) any policy recommendations based on those
2	findings and results.
3	SEC. 776. Not later than 180 days after the date of
4	enactment of this Act, the Secretary of Agriculture shall
5	submit to Congress a report describing the ways in which
6	conservation programs administered by the Natural Re-
7	sources Conservation Service may be better used for the
8	conservation of ocelots (Leopardus pardalis) and any ac-
9	tion taken by the Chief of the Natural Resources Con-
10	servation Service relating to the conservation of ocelots
11	SEC. 777. Not later than 1 year after the date of
12	enactment of this Act, the Rural Housing Service of the
13	Department of Agriculture shall submit to Congress a re-
14	port including—
15	(1) a description of—
16	(A) the number of properties assisted
17	under title V of the Housing Act of 1949 (42
18	U.S.C. 1471 et seq.) that are reaching the end
19	of their loan term;
20	(B) the location of each property described
21	in subparagraph (A);
22	(C) the number of units in each property
23	described in subparagraph (A); and



1	(D) the date on which each the loan for
2	each property described in subparagraph (A) is
3	expected to reach maturity;
4	(2) the strategy of the Rural Housing Service
5	to preserve the long-term affordability of the prop-
6	erties described in paragraph (1)(A) when the loan
7	matures; and
8	(3) a description of the resources and tools that
9	the Rural Housing Service needs from Congress in
10	order to preserve the long-term affordability of the
11	properties described in paragraph (1) (A).
12	Sec. 778. Out of amounts appropriated to the Food
13	and Drug Administration under title VI, the Secretary of
14	Health and Human Services, acting through the Commis-
15	sioner of Food and Drugs, shall, not later than July 1,
16	2019, and following the review required under Executive
17	Order 12866 (5 U.S.C. 601 note; relating to regulatory
18	planning and review), issue advice revising the advice pro-
19	vided in the notice of availability entitled "Advice About
20	Eating Fish, From the Environmental Protection Agency
21	and Food and Drug Administration; Revised Fish Advice;
22	Availability'' (82 Fed. Reg. 6571 (January 19, 2017)), in
23	a manner that is consistent with nutrition science recog-
24	nized by the Food and Drug Administration on the net
25	effects of seafood consumption



- 1 Sec. 779. In addition to any funds made available
- 2 in this Act or any other Act, there is hereby appropriated
- 3 \$5,000,000, to remain available until September 30, 2020,
- 4 for grants from the National Institute of Food and Agri-
- 5 culture to the 1890 Institutions to support the Centers
- 6 of Excellence.
- 7 Sec. 780. Section 6(e)(1)(B) of the Richard B. Rus-
- 8 sell National School Lunch Act (42 U.S.C. 1755(e)(1)(B))
- 9 is amended by striking "September 30, 2020" and insert-
- 10 ing "September 30, 2018".
- 11 Sec. 781. During fiscal year 2019, the Food and
- 12 Drug Administration shall not allow the introduction or
- 13 delivery for introduction into interstate commerce of any
- 14 food that contains genetically engineered salmon until the
- 15 FDA publishes final labeling guidelines for informing con-
- 16 sumers of such content.
- 17 Sec. 782. In addition to funds appropriated in this
- 18 Act, there is hereby appropriated \$216,000,000, to remain
- 19 available until expended, under the heading "Food for
- 20 Peace Title II Grants": Provided, That the funds made
- 21 available under this section shall be used for the purposes
- 22 set forth in the Food for Peace Act for both emergency
- 23 and non-emergency purposes.
- 24 Sec. 783. Title III of the Department of Agriculture
- 25 Reorganization Act of 1994 (7 U.S.C. 301 et. seq.) is



- 1 amended by adding at the end the following—"SEC. 310.
- 2 CONVERSION AUTHORITY. Notwithstanding Title 5,
- 3 United States Code, a student, who is a U.S. Citizen and
- 4 who participates in a scholarship program carried out by
- 5 the Department may be noncompetitively converted to an
- 6 appointment in the competitive service by an agency or
- 7 office within the Department, provided the student meets
- 8 the requirements for such conversion, as determined by
- 9 the Secretary".
- 10 Sec. 784. There is appropriated to the "Farm Serv-
- 11 ice Agency" \$9,000,000 for purposes of making payments
- 12 to producers impacted by an oriental fruit fly quarantine
- 13 as referenced in H.Rpt.115-232 to remain available until
- 14 expended: Provided, That of the unobligated balances
- 15 available under Treasury symbol code 128/90600,
- 16 \$5,000,000 are rescinded.
- 17 Sec. 785. In administering the pilot program estab-
- 18 lished by section 779 of division A of the Consolidated Ap-
- 19 propriations Act, 2018 (Public Law 115–141), the Sec-
- 20 retary of Agriculture shall—
- 21 (1) ensure that applicants that are determined
- to be ineligible for the pilot program have a means
- of appealing or otherwise challenging that deter-
- 24 mination in a timely fashion; and

1	(2) in determining whether an entity may over-
2	build or duplicate broadband expansion efforts made
3	by any entity that has received a broadband loan
4	from the Rural Utilities Service, not consider loans
5	that were rescinded or defaulted on, or loans the
6	terms and conditions of which were not met, if the
7	entity under consideration has not previously de-
8	faulted on, or failed to meet the terms and condi-
9	tions of, a Rural Utilities Service loan or had a
10	Rural Utilities Service loan rescinded.
11	Sec. 786. For the cost of loans and grants,
12	\$3,000,000 under the same terms and conditions as au-
13	thorized by section 379E of the Consolidated Farm and
14	Rural Development Act (7 U.S.C. 2008s): Provided, That
15	such costs of loans, including the cost of modifying such
16	loans, shall be as defined in section 502 of the Congres-
17	sional Budget Act of 1974.
18	Sec. 787. None of the funds made available by this
19	Act may be used to pay the salaries or expenses of per-
20	sonnel—
21	(1) to inspect horses under section 3 of the
22	Federal Meat Inspection Act (21 U.S.C. 603);
23	(2) to inspect horses under section 903 of the
24	Federal Agriculture Improvement and Reform Act of
25	1996 (7 U.S.C. 1991 pote, Public Law 104, 197), or



1	(3) to implement or enforce section 352.19 of
2	title 9, Code of Federal Regulations (or a successor
3	regulation).
4	This division may be cited as the "Agriculture, Rural
5	Development, Food and Drug Administration, and Re-
5	lated Agencies Appropriations Act, 2019".



1	DIVISION B—COMMERCE, JUSTICE,
2	SCIENCE, AND RELATED AGENCIES
3	APPROPRIATIONS ACT, 2019
4	TITLE I
5	DEPARTMENT OF COMMERCE
6	International Trade Administration
7	OPERATIONS AND ADMINISTRATION
8	For necessary expenses for international trade activi-
9	ties of the Department of Commerce provided for by law,
10	and for engaging in trade promotional activities abroad,
11	including expenses of grants and cooperative agreements
12	for the purpose of promoting exports of United States
13	firms, without regard to sections 3702 and 3703 of title
14	44, United States Code; full medical coverage for depend-
15	ent members of immediate families of employees stationed
16	overseas and employees temporarily posted overseas; travel $$
17	and transportation of employees of the International
18	Trade Administration between two points abroad, without
19	regard to section 40118 of title 49 , United States Code;
20	employment of citizens of the United States and aliens by
21	contract for services; rental of space abroad for periods
22	not exceeding 10 years, and expenses of alteration, repair,
23	or improvement; purchase or construction of temporary
24	demountable exhibition structures for use abroad; pay-
25	ment of tort claims, in the manner authorized in the first



- 1 paragraph of section 2672 of title 28, United States Code,
- 2 when such claims arise in foreign countries; not to exceed
- 3 \$294,300 for official representation expenses abroad; pur-
- 4 chase of passenger motor vehicles for official use abroad,
- 5 not to exceed \$45,000 per vehicle; obtaining insurance on
- 6 official motor vehicles; and rental of tie lines,
- 7 \$495,000,000, to remain available until September 30,
- 8 2020, of which \$11,000,000 is to be derived from fees to
- 9 be retained and used by the International Trade Adminis-
- 10 tration, notwithstanding section 3302 of title 31, United
- 11 States Code: Provided, That, of amounts provided under
- 12 this heading, not less than \$16,400,000 shall be for China
- 13 antidumping and countervailing duty enforcement and
- 14 compliance activities: Provided further, That the provisions
- 15 of the first sentence of section 105(f) and all of section
- 16 108(c) of the Mutual Educational and Cultural Exchange
- 17 Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply
- 18 in carrying out these activities; and that for the purpose
- 19 of this Act, contributions under the provisions of the Mu-
- 20 tual Educational and Cultural Exchange Act of 1961 shall
- 21 include payment for assessments for services provided as
- 22 part of these activities.



1	BUREAU OF INDUSTRY AND SECURITY
2	OPERATIONS AND ADMINISTRATION
3	(INCLUDING TRANSFER OF FUNDS)
4	For necessary expenses for export administration and
5	national security activities of the Department of Com-
6	merce, including costs associated with the performance of
7	export administration field activities both domestically and
8	abroad; full medical coverage for dependent members of
9	immediate families of employees stationed overseas; em-
10	ployment of citizens of the United States and aliens by
11	contract for services abroad; payment of tort claims, in
12	the manner authorized in the first paragraph of section
13	2672 of title 28, United States Code, when such claims
14	arise in foreign countries; not to exceed \$13,500 for offi-
15	cial representation expenses abroad; awards of compensa-
16	tion to informers under the Export Control Reform Act
17	of 2018 (subtitle B of title XVII of the John S. McCain
18	National Defense Authorization Act for Fiscal Year 2019;
19	Public Law 115–232; 132 Stat. 2208; 50 U.S.C. 4801 et
20	seq.), and as authorized by section 1(b) of the Act of June
21	15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase
22	of passenger motor vehicles for official use and motor vehi-
23	cles for law enforcement use with special requirement vehi-
24	cles eligible for purchase without regard to any price limi-
25	tation otherwise established by law, \$118,050,000, to re-



1	main available until expended, except that of the amount
2	appropriated, not less than \$4,550,000 shall remain avail-
3	able until September 30, 2019, and shall only be available
4	for contractor support to implement the product exclusion
5	process for articles covered by actions taken under section
6	232 of the Trade Expansion Act of 1962 (19 U.S.C.
7	1862): Provided, That the provisions of the first sentence
8	of section $105(f)$ and all of section $108(c)$ of the Mutual
9	Educational and Cultural Exchange Act of 1961 (22
10	U.S.C. 2455(f) and 2458(c)) shall apply in carrying out
11	these activities: Provided further, That payments and con-
12	tributions collected and accepted for materials or services
13	provided as part of such activities may be retained for use
14	in covering the cost of such activities, and for providing
15	information to the public with respect to the export admin-
16	istration and national security activities of the Depart-
17	ment of Commerce and other export control programs of
18	the United States and other governments: Provided fur-
19	ther, That the Secretary of Commerce may transfer up
20	to $$2,000,000$ to this account, from funds available for
21	"Departmental Management, Salaries and Expenses" or
22	for "Departmental Management, Renovation and Mod-
23	ernization": $Provided\ further,\ That\ any\ funds\ transferred$
24	pursuant to the previous proviso shall remain available
25	until September 30, 2019, and shall only be available for



4							
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- 2 process for articles covered by actions taken under section
- 3 232 of the Trade Expansion Act of 1962 (19 U.S.C.
- 4 1862): Provided further, That such transfer authority is
- 5 in addition to any other transfer authority contained in
- 6 this Act: Provided further, That any such transfer shall
- 7 be treated as a reprogramming under section 505 of this
- 8 Act and shall not be available for obligation or expenditure
- 9 except in compliance with the procedures set forth in that
- 10 section.
- 11 ECONOMIC DEVELOPMENT ADMINISTRATION
- 12 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
- For grants for economic development assistance as
- 14 provided by the Public Works and Economic Development
- 15 Act of 1965, for trade adjustment assistance, and for
- 16 grants authorized by section 27 of the Stevenson-Wydler
- 17 Technology Innovation Act of 1980 (15 U.S.C. 3722),
- 18 \$265,000,000, to remain available until expended, of
- 19 which \$23,500,000 shall be for grants under such section
- 20 27.
- 21 SALARIES AND EXPENSES
- For necessary expenses of administering the eco-
- 23 nomic development assistance programs as provided for by
- 24 law, \$39,000,000: Provided, That these funds may be used
- 25 to monitor projects approved pursuant to title I of the



1	Public Works Employment Act of 1976, title II of the
2	Trade Act of 1974, section 27 of the Stevenson-Wydler
3	Technology Innovation Act of 1980 (15 U.S.C. 3722), and
4	the Community Emergency Drought Relief Act of 1977
5	MINORITY BUSINESS DEVELOPMENT AGENCY
6	MINORITY BUSINESS DEVELOPMENT
7	For necessary expenses of the Department of Com-
8	merce in fostering, promoting, and developing minority
9	business enterprise, including expenses of grants, con-
10	tracts, and other agreements with public or private organi-
11	zations, \$40,000,000.
12	ECONOMIC AND STATISTICAL ANALYSIS
13	SALARIES AND EXPENSES
14	For necessary expenses, as authorized by law, of eco-
15	nomic and statistical analysis programs of the Department
16	of Commerce, \$101,000,000, to remain available until
17	September 30, 2020.
18	BUREAU OF THE CENSUS
19	CURRENT SURVEYS AND PROGRAMS
20	For necessary expenses for collecting, compiling, ana-
21	lyzing, preparing, and publishing statistics, provided for
22	by law, \$270,000,000: Provided, That, from amounts pro-
23	vided herein, funds may be used for promotion, outreach
24	and marketing activities.



1	PERIODIC CENSUSES AND PROGRAMS
2	(INCLUDING TRANSFER OF FUNDS)
3	For necessary expenses for collecting, compiling, ana-
4	lyzing, preparing, and publishing statistics for periodic
5	censuses and programs provided for by law,
6	\$3,551,388,000, to remain available until September 30
7	2021: Provided, That, from amounts provided herein
8	funds may be used for promotion, outreach, and mar-
9	keting activities: Provided further, That within the
10	amounts appropriated, \$3,556,000 shall be transferred to
11	the "Office of Inspector General" account for activities as-
12	sociated with carrying out investigations and audits re-
13	lated to the Bureau of the Census: Provided further, That
14	not more than 50 percent of the amounts made available
15	under this heading for information technology related to
16	2020 census delivery, including the Census Enterprise
17	Data Collection and Processing (CEDCaP) program, may
18	be obligated until the Secretary updates the previous ex-
19	penditure plan and resubmits to the Committees on Ap-
20	propriations of the House of Representatives and the Sen-
21	ate a plan for expenditure that: (1) identifies for each
22	CEDCaP project/investment over \$25,000: (A) the func-
23	tional and performance capabilities to be delivered and the
24	mission benefits to be realized; (B) an updated estimated
25	lifecycle cost, including cumulative expenditures to date by



1	fiscal year, and all revised estimates for development,
2	maintenance, and operations; (C) key milestones to be
3	met; and (D) impacts of cost variances on other Census
4	programs; (2) details for each project/investment: (A) rea-
5	sons for any cost and schedule variances; and (B) top risks
6	and mitigation strategies; and (3) has been submitted to
7	the Government Accountability Office.
8	NATIONAL TELECOMMUNICATIONS AND INFORMATION
9	Administration
10	SALARIES AND EXPENSES
11	For necessary expenses, as provided for by law, of
12	the National Telecommunications and Information Ad-
13	ministration (NTIA), \$39,500,000, of which not to exceed
14	\$15,000,000 shall remain available until September 30,
15	2020: Provided, That, notwithstanding 31 U.S.C.
16	1535(d), the Secretary of Commerce shall charge Federal
17	agencies for costs incurred in spectrum management,
18	analysis, operations, and related services, and such fees
19	shall be retained and used as offsetting collections for
20	costs of such spectrum services, to remain available until
21	expended: Provided further, That the Secretary of Com-
22	merce is authorized to retain and use as offsetting collec-
23	tions all funds transferred, or previously transferred, from
24	other Government agencies for all costs incurred in tele-
25	communications research, engineering, and related activi-



1	ties by the Institute for Telecommunication Sciences of
2	NTIA, in furtherance of its assigned functions under this
3	paragraph, and such funds received from other Govern-
4	ment agencies shall remain available until expended.
5	PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
6	AND CONSTRUCTION
7	For the administration of prior-year grants, recov-
8	eries and unobligated balances of funds previously appro-
9	priated are available for the administration of all open
10	grants until their expiration.
11	UNITED STATES PATENT AND TRADEMARK OFFICE
12	SALARIES AND EXPENSES
13	(INCLUDING TRANSFERS OF FUNDS)
14	For necessary expenses of the United States Patent
15	and Trademark Office (USPTO) provided for by law, in-
16	cluding defense of suits instituted against the Under Sec-
17	retary of Commerce for Intellectual Property and Director
18	of the USPTO, \$3,370,000,000, to remain available until
19	expended: Provided, That the sum herein appropriated
20	from the general fund shall be reduced as offsetting collec-
21	tions of fees and surcharges assessed and collected by the
22	USPTO under any law are received during fiscal year
23	2019, so as to result in a fiscal year 2019 appropriation
24	from the general fund estimated at \$0: Provided further,
25	That during fiscal year 2019 should the total amount of



1	such offsetting collections be less than \$3,370,000,000
2	this amount shall be reduced accordingly: Provided fur-
3	ther, That any amount received in excess of
4	\$3,370,000,000 in fiscal year 2019 and deposited in the
5	Patent and Trademark Fee Reserve Fund shall remain
6	available until expended: Provided further, That the Direc-
7	tor of USPTO shall submit a spending plan to the Com-
8	mittees on Appropriations of the House of Representatives
9	and the Senate for any amounts made available by the
10	preceding proviso and such spending plan shall be treated
11	as a reprogramming under section 505 of this Act and
12	shall not be available for obligation or expenditure except
13	in compliance with the procedures set forth in that section
14	Provided further, That any amounts reprogrammed in ac-
15	cordance with the preceding proviso shall be transferred
16	to the United States Patent and Trademark Office "Sala-
17	ries and Expenses" account: Provided further, That from
18	amounts provided herein, not to exceed \$900 shall be
19	made available in fiscal year 2019 for official reception
20	and representation expenses: Provided further, That in fis-
21	cal year 2019 from the amounts made available for "Sala-
22	ries and Expenses" for the USPTO, the amounts nec-
23	essary to pay (1) the difference between the percentage
24	of basic pay contributed by the USPTO and employees
25	under section \$224(a) of title 5. United States Code and



- 1 the normal cost percentage (as defined by section
- 2 8331(17) of that title) as provided by the Office of Per-
- 3 sonnel Management (OPM) for USPTO's specific use, of
- 4 basic pay, of employees subject to subchapter III of chap-
- 5 ter 83 of that title, and (2) the present value of the other-
- 6 wise unfunded accruing costs, as determined by OPM for
- 7 USPTO's specific use of post-retirement life insurance
- 8 and post-retirement health benefits coverage for all
- 9 USPTO employees who are enrolled in Federal Employees
- 10 Health Benefits (FEHB) and Federal Employees Group
- 11 Life Insurance (FEGLI), shall be transferred to the Civil
- 12 Service Retirement and Disability Fund, the FEGLI
- 13 Fund, and the FEHB Fund, as appropriate, and shall be
- 14 available for the authorized purposes of those accounts:
- 15 Provided further, That any differences between the present
- 16 value factors published in OPM's yearly 300 series benefit
- 17 letters and the factors that OPM provides for USPTO's
- 18 specific use shall be recognized as an imputed cost on
- 19 USPTO's financial statements, where applicable: *Provided*
- 20 further, That, notwithstanding any other provision of law,
- 21 all fees and surcharges assessed and collected by USPTO
- 22 are available for USPTO only pursuant to section 42(c)
- 23 of title 35, United States Code, as amended by section
- 24 22 of the Leahy-Smith America Invents Act (Public Law
- 25 112-29): Provided further, That within the amounts ap-



- 1 propriated, \$1,500,000 shall be transferred to the "Office
- 2 of Inspector General" account for activities associated
- 3 with carrying out investigations and audits related to the
- 4 USPTO.
- 5 National Institute of Standards and Technology
- 6 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES
- 7 (INCLUDING TRANSFER OF FUNDS)
- 8 For necessary expenses of the National Institute of
- 9 Standards and Technology (NIST), \$724,500,000, to re-
- 10 main available until expended, of which not to exceed
- 11 \$9,000,000 may be transferred to the "Working Capital
- 12 Fund": Provided, That not to exceed \$5,000 shall be for
- 13 official reception and representation expenses: Provided
- 14 further, That NIST may provide local transportation for
- 15 summer undergraduate research fellowship program par-
- 16 ticipants.
- 17 INDUSTRIAL TECHNOLOGY SERVICES
- 18 For necessary expenses for industrial technology
- 19 services, \$155,000,000, to remain available until ex-
- 20 pended, of which \$140,000,000 shall be for the Hollings
- 21 Manufacturing Extension Partnership, and of which
- 22 \$15,000,000 shall be for the National Network for Manu-
- 23 facturing Innovation (also known as "Manufacturing
- 24 USA").



1	CONSTRUCTION OF RESEARCH FACILITIES
2	For construction of new research facilities, including
3	architectural and engineering design, and for renovation
4	and maintenance of existing facilities, not otherwise pro-
5	vided for the National Institute of Standards and Tech-
6	nology, as authorized by sections 13 through 15 of the
7	National Institute of Standards and Technology Act (15
8	U.S.C. 278c–278e), \$106,000,000, to remain available
9	until expended: $Provided$, That the Secretary of Commerce
10	shall include in the budget justification materials that the
11	Secretary submits to Congress in support of the Depart-
12	ment of Commerce budget (as submitted with the budget
13	of the President under section 1105(a) of title 31, United
14	States Code) an estimate for each National Institute of
15	Standards and Technology construction project having a
16	total multi-year program cost of more than $$5,000,000$,
17	and simultaneously the budget justification materials shall
18	include an estimate of the budgetary requirements for
19	each such project for each of the 5 subsequent fiscal years.
20	NATIONAL OCEANIC AND ATMOSPHERIC
21	Administration
22	OPERATIONS, RESEARCH, AND FACILITIES
23	(INCLUDING TRANSFER OF FUNDS)
24	For necessary expenses of activities authorized by law
25	for the National Oceanic and Atmospheric Administration,



1	including maintenance, operation, and hire of aircraft and
2	vessels; pilot programs for state-led fisheries management,
3	notwithstanding any other provision of law; grants, con-
4	tracts, or other payments to nonprofit organizations for
5	the purposes of conducting activities pursuant to coopera-
6	tive agreements; and relocation of facilities,
7	\$3,596,997,000, to remain available until September 30,
8	2020: Provided, That fees and donations received by the
9	National Ocean Service for the management of national
10	marine sanctuaries may be retained and used for the sala-
11	ries and expenses associated with those activities, notwith-
12	standing section 3302 of title 31, United States Code: $Pro-$
13	vided further, That in addition, \$157,980,000 shall be de-
14	rived by transfer from the fund entitled "Promote and De-
15	velop Fishery Products and Research Pertaining to Amer-
16	ican Fisheries", which shall only be used for fishery activi-
17	ties related to the Saltonstall-Kennedy Grant Program;
18	Fisheries Data Collections, Surveys and Assessments; and
19	Interjurisdictional Fisheries Grants: Provided further,
20	That of the \$3,772,477,000 provided for in direct obliga-
21	tions under this heading, \$3,596,997,000 is appropriated
22	from the general fund, \$157,980,000 is provided by trans-
23	fer, and \$17,500,000 is derived from recoveries of prior
24	year obligations: Provided further, That any deviation
25	from the amounts designated for specific activities in the



- 1 explanatory statement described in section 4 (in the mat-
- 2 ter preceding division A of this consolidated Act), or any
- 3 use of deobligated balances of funds provided under this
- 4 heading in previous years, shall be subject to the proce-
- 5 dures set forth in section 505 of this Act: Provided further,
- 6 That in addition, for necessary retired pay expenses under
- 7 the Retired Serviceman's Family Protection and Survivor
- 8 Benefits Plan, and for payments for the medical care of
- 9 retired personnel and their dependents under the Depend-
- 10 ents' Medical Care Act (10 U.S.C. ch. 55), such sums as
- 11 may be necessary.
- 12 PROCUREMENT, ACQUISITION AND CONSTRUCTION
- 13 (INCLUDING TRANSFER OF FUNDS)
- 14 For procurement, acquisition and construction of
- 15 capital assets, including alteration and modification costs,
- 16 of the National Oceanic and Atmospheric Administration,
- 17 \$1,755,349,000, to remain available until September 30,
- 18 2021, except that funds provided for acquisition and con-
- 19 struction of vessels and construction of facilities shall re-
- 20 main available until expended: Provided, That of the
- 21 \$1,768,349,000 provided for in direct obligations under
- 22 this heading, \$1,755,349,000 is appropriated from the
- 23 general fund and \$13,000,000 is provided from recoveries
- 24 of prior year obligations: Provided further, That any devi-
- 25 ation from the amounts designated for specific activities



1	in the explanator	y statement	described i	in section 4 (in the
2	matter preceding	g division A	of this cor	nsolidated Act), or

- 3 any use of deobligated balances of funds provided under
- 4 this heading in previous years, shall be subject to the pro-
- 5 cedures set forth in section 505 of this Act: Provided fur-
- 6 ther, That the Secretary of Commerce shall include in
- 7 budget justification materials that the Secretary submits
- 8 to Congress in support of the Department of Commerce
- 9 budget (as submitted with the budget of the President
- 10 under section 1105(a) of title 31, United States Code) an
- 11 estimate for each National Oceanic and Atmospheric Ad-
- 12 ministration procurement, acquisition or construction
- 13 project having a total of more than \$5,000,000 and simul-
- 14 taneously the budget justification shall include an estimate
- 15 of the budgetary requirements for each such project for
- 16 each of the 5 subsequent fiscal years: Provided further,
- 17 That, within the amounts appropriated, \$1,302,000 shall
- 18 be transferred to the "Office of Inspector General" ac-
- 19 count for activities associated with carrying out investiga-
- 20 tions and audits related to satellite procurement, acquisi-
- 21 tion and construction.
- 22 PACIFIC COASTAL SALMON RECOVERY
- For necessary expenses associated with the restora-
- 24 tion of Pacific salmon populations, \$65,000,000, to re-
- 25 main available until September 30, 2020: Provided, That,



1 of the funds provided herein, the Secreta	rv o	ot	Commerce
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- 2 may issue grants to the States of Washington, Oregon,
- 3 Idaho, Nevada, California, and Alaska, and to the Feder-
- 4 ally recognized tribes of the Columbia River and Pacific
- 5 Coast (including Alaska), for projects necessary for con-
- 6 servation of salmon and steelhead populations that are
- 7 listed as threatened or endangered, or that are identified
- 8 by a State as at-risk to be so listed, for maintaining popu-
- 9 lations necessary for exercise of tribal treaty fishing rights
- 10 or native subsistence fishing, or for conservation of Pacific
- 11 coastal salmon and steelhead habitat, based on guidelines
- 12 to be developed by the Secretary of Commerce: Provided
- 13 further, That all funds shall be allocated based on sci-
- 14 entific and other merit principles and shall not be available
- 15 for marketing activities: Provided further, That funds dis-
- 16 bursed to States shall be subject to a matching require-
- 17 ment of funds or documented in-kind contributions of at
- 18 least 33 percent of the Federal funds.
- 19 FISHERMEN'S CONTINGENCY FUND
- For carrying out the provisions of title IV of Public
- 21 Law 95–372, not to exceed \$349,000, to be derived from
- 22 receipts collected pursuant to that Act, to remain available
- 23 until expended.



1	FISHERY DISASTER ASSISTANCE
2	For the necessary expenses associated with the miti-
3	gation of fishery disasters, \$15,000,000 to remain avail-
4	able until expended: Provided, That funds shall be used
5	for mitigating the effects of commercial fishery failures
6	and fishery resource disasters as declared by the Secretary
7	of Commerce.
8	FISHERIES FINANCE PROGRAM ACCOUNT
9	Subject to section 502 of the Congressional Budget
10	Act of 1974, during fiscal year 2019, obligations of direct
11	loans may not exceed \$24,000,000 for Individual Fishing
12	Quota loans and not to exceed \$100,000,000 for tradi-
13	tional direct loans as authorized by the Merchant Marine
14	Act of 1936.
15	DEPARTMENTAL MANAGEMENT
16	SALARIES AND EXPENSES
17	For necessary expenses for the management of the
18	Department of Commerce provided for by law, including
19	not to exceed \$4,500 for official reception and representa-
20	tion, \$63,000,000.
21	OFFICE OF INSPECTOR GENERAL
22	For necessary expenses of the Office of Inspector
23	General in carrying out the provisions of the Inspector
24	General Act of 1978 (5 U.S.C. App.), $\$34,744,000$: $Pro-$
25	vided, That notwithstanding section 6413(b) of the Middle



- 1 Class Tax Relief and Job Creation Act of 2012 (Public
- 2 Law 112–96), \$2,000,000, to remain available until ex-
- 3 pended, from the amounts provided under this heading,
- 4 shall be derived from the Public Safety Trust Fund for
- 5 activities associated with carrying out investigations and
- 6 audits related to the First Responder Network Authority
- 7 (FirstNet).
- 8 General Provisions—Department of Commerce
- 9 (INCLUDING TRANSFER OF FUNDS)
- 10 Sec. 101. During the current fiscal year, applicable
- 11 appropriations and funds made available to the Depart-
- 12 ment of Commerce by this Act shall be available for the
- 13 activities specified in the Act of October 26, 1949 (15
- 14 U.S.C. 1514), to the extent and in the manner prescribed
- 15 by the Act, and, notwithstanding 31 U.S.C. 3324, may
- 16 be used for advanced payments not otherwise authorized
- 17 only upon the certification of officials designated by the
- 18 Secretary of Commerce that such payments are in the
- 19 public interest.
- 20 Sec. 102. During the current fiscal year, appropria-
- 21 tions made available to the Department of Commerce by
- 22 this Act for salaries and expenses shall be available for
- 23 hire of passenger motor vehicles as authorized by 31
- 24 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.



- 1 3109; and uniforms or allowances therefor, as authorized
- 2 by law (5 U.S.C. 5901–5902).
- 3 Sec. 103. Not to exceed 5 percent of any appropria-
- 4 tion made available for the current fiscal year for the De-
- 5 partment of Commerce in this Act may be transferred be-
- 6 tween such appropriations, but no such appropriation shall
- 7 be increased by more than 10 percent by any such trans-
- 8 fers: Provided, That any transfer pursuant to this section
- 9 shall be treated as a reprogramming of funds under sec-
- 10 tion 505 of this Act and shall not be available for obliga-
- 11 tion or expenditure except in compliance with the proce-
- 12 dures set forth in that section: Provided further, That the
- 13 Secretary of Commerce shall notify the Committees on Ap-
- 14 propriations at least 15 days in advance of the acquisition
- 15 or disposal of any capital asset (including land, structures,
- 16 and equipment) not specifically provided for in this Act
- 17 or any other law appropriating funds for the Department
- 18 of Commerce.
- 19 Sec. 104. The requirements set forth by section 105
- 20 of the Commerce, Justice, Science, and Related Agencies
- 21 Appropriations Act, 2012 (Public Law 112-55), as
- 22 amended by section 105 of title I of division B of Public
- 23 Law 113-6, are hereby adopted by reference and made
- 24 applicable with respect to fiscal year 2019: Provided, That
- 25 the life cycle cost for the Joint Polar Satellite System is



- 1 \$11,322,125,000 and the life cycle cost for the Geo-
- 2 stationary Operational Environmental Satellite R-Series
- 3 Program is \$10,828,059,000.
- 4 Sec. 105. Notwithstanding any other provision of
- 5 law, the Secretary may furnish services (including but not
- 6 limited to utilities, telecommunications, and security serv-
- 7 ices) necessary to support the operation, maintenance, and
- 8 improvement of space that persons, firms, or organizations
- 9 are authorized, pursuant to the Public Buildings Coopera-
- 10 tive Use Act of 1976 or other authority, to use or occupy
- 11 in the Herbert C. Hoover Building, Washington, DC, or
- 12 other buildings, the maintenance, operation, and protec-
- 13 tion of which has been delegated to the Secretary from
- 14 the Administrator of General Services pursuant to the
- 15 Federal Property and Administrative Services Act of 1949
- 16 on a reimbursable or non-reimbursable basis. Amounts re-
- 17 ceived as reimbursement for services provided under this
- 18 section or the authority under which the use or occupancy
- 19 of the space is authorized, up to \$200,000, shall be cred-
- 20 ited to the appropriation or fund which initially bears the
- 21 costs of such services.
- Sec. 106. Nothing in this title shall be construed to
- 23 prevent a grant recipient from deterring child pornog-
- 24 raphy, copyright infringement, or any other unlawful ac-
- 25 tivity over its networks.



- 1 Sec. 107. The Administrator of the National Oceanic
- 2 and Atmospheric Administration is authorized to use, with
- 3 their consent, with reimbursement and subject to the lim-
- 4 its of available appropriations, the land, services, equip-
- 5 ment, personnel, and facilities of any department, agency,
- 6 or instrumentality of the United States, or of any State,
- 7 local government, Indian tribal government, Territory, or
- 8 possession, or of any political subdivision thereof, or of
- 9 any foreign government or international organization, for
- 10 purposes related to carrying out the responsibilities of any
- 11 statute administered by the National Oceanic and Atmos-
- 12 pheric Administration.
- 13 Sec. 108. The National Technical Information Serv-
- 14 ice shall not charge any customer for a copy of any report
- 15 or document generated by the Legislative Branch unless
- 16 the Service has provided information to the customer on
- 17 how an electronic copy of such report or document may
- 18 be accessed and downloaded for free online. Should a cus-
- 19 tomer still require the Service to provide a printed or dig-
- 20 ital copy of the report or document, the charge shall be
- 21 limited to recovering the Service's cost of processing, re-
- 22 producing, and delivering such report or document.
- Sec. 109. To carry out the responsibilities of the Na-
- 24 tional Oceanic and Atmospheric Administration (NOAA),
- 25 the Administrator of NOAA is authorized to: (1) enter



1	into grants and cooperative agreements with; (2) use on
2	a non-reimbursable basis land, services, equipment, per-
3	sonnel, and facilities provided by; and (3) receive and ex-
4	pend funds made available on a consensual basis from: a
5	Federal agency, State or subdivision thereof, local govern-
6	ment, tribal government, territory, or possession or any
7	subdivisions thereof: Provided, That funds received for
8	permitting and related regulatory activities pursuant to
9	this section shall be deposited under the heading "Na-
10	tional Oceanic and Atmospheric Administration—Oper-
11	ations, Research, and Facilities" and shall remain avail-
12	able until September 30, 2021, for such purposes: $Pro-$
13	vided further, That all funds within this section and their
14	corresponding uses are subject to section 505 of this Act.
15	Sec. 110. Amounts provided by this Act or by any
16	prior appropriations Act that remain available for obliga-
17	tion, for necessary expenses of the programs of the Eco-
18	nomics and Statistics Administration of the Department
19	of Commerce, including amounts provided for programs
20	of the Bureau of Economic Analysis and the Bureau of
21	the Census, shall be available for expenses of cooperative
22	agreements with appropriate entities, including any Fed-
23	eral, State, or local governmental unit, or institution of
24	higher education, to aid and promote statistical, research,



1	and methodology activities which further the purposes for
2	which such amounts have been made available.
3	Sec. 111. Section 110(a) of the Department of Com-
4	merce Appropriations Act, 2016 (Public Law 114–113) is
5	amended—
6	(1) by striking "management is" and inserting
7	"management is: (1)"; and
8	(2) by striking "subsection (b)." and inserting
9	"subsection (b); or (2) for law enforcement activities
10	conducted by States under a joint enforcement
11	agreement pursuant to section 311(h) of the Magnu-
12	son-Stevens Fishery Conservation and Management
13	Act (16 U.S.C. 1861(h)), any other agreement with
14	the Secretary entered into pursuant to section
15	311(a) of such Act, or any similar agreement au-
16	thorized by law.".
17	Sec. 112. Title II of Division B of Public Law 115-

- 18 123 is amended by striking "Federal" each place it ap-
- pears under the heading "Department of Commerce—Na-
- 20 tional Oceanic and Atmospheric Administration".
- 21 This title may be cited as the "Department of Com-
- 22 merce Appropriations Act, 2019".

1	TITLE II
2	DEPARTMENT OF JUSTICE
3	GENERAL ADMINISTRATION
4	SALARIES AND EXPENSES
5	For expenses necessary for the administration of the
6	Department of Justice, \$113,000,000, of which not to ex-
7	ceed \$4,000,000 for security and construction of Depart-
8	ment of Justice facilities shall remain available until ex-
9	pended.
10	JUSTICE INFORMATION SHARING TECHNOLOGY
11	(INCLUDING TRANSFER OF FUNDS)
12	For necessary expenses for information sharing tech-
13	nology, including planning, development, deployment and
14	departmental direction, \$32,000,000, to remain available
15	until expended: Provided, That the Attorney General may
16	transfer up to \$40,000,000 to this account, from funds
17	available to the Department of Justice for information
18	technology, to remain available until expended, for enter-
19	prise-wide information technology initiatives: Provided fur-
20	ther, That the transfer authority in the preceding proviso
21	is in addition to any other transfer authority contained
22	in this Act: Provided further, That any transfer pursuant
23	to the first proviso shall be treated as a reprogramming
24	under section 505 of this Act and shall not be available



1	for obligation or expenditure except in compliance with the
2	procedures set forth in that section.
3	EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
4	(INCLUDING TRANSFER OF FUNDS)
5	For expenses necessary for the administration of im-
6	migration-related activities of the Executive Office for Im-
7	migration Review, $$563,407,000$, of which $$4,000,000$
8	shall be derived by transfer from the Executive Office for
9	Immigration Review fees deposited in the "Immigration
10	Examinations Fee" account, and of which not less than
11	\$11,400,000 shall be available for services and activities
12	provided by the Legal Orientation Program: $Provided$,
13	That not to exceed \$35,000,000 of the total amount made
14	available under this heading shall remain available until
15	expended.
16	OFFICE OF INSPECTOR GENERAL
17	For necessary expenses of the Office of Inspector
18	General, $\$101,000,000$, including not to exceed $\$10,000$
19	to meet unforeseen emergencies of a confidential char-
20	acter.
21	United States Parole Commission
22	SALARIES AND EXPENSES
23	For necessary expenses of the United States Parole
24	Commission as authorized, $$13,000,000$: $Provided$, That,
25	notwithstanding any other provision of law, upon the expi-



1 ration of a term of office of a Commissioner, the Co	or a tern	LOL	OTHER	OI	a	COMMISSIONEL.	. une	Commis-
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- 2 sioner may continue to act until a successor has been ap-
- 3 pointed.
- 4 Legal Activities
- 5 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES
- 6 For expenses necessary for the legal activities of the
- 7 Department of Justice, not otherwise provided for, includ-
- 8 ing not to exceed \$20,000 for expenses of collecting evi-
- 9 dence, to be expended under the direction of, and to be
- 10 accounted for solely under the certificate of, the Attorney
- 11 General; the administration of pardon and clemency peti-
- 12 tions; and rent of private or Government-owned space in
- 13 the District of Columbia, \$904,000,000, of which not to
- 14 exceed \$20,000,000 for litigation support contracts shall
- 15 remain available until expended: Provided, That of the
- 16 amount provided for INTERPOL Washington dues pay-
- 17 ments, not to exceed \$685,000 shall remain available until
- 18 expended: Provided further, That of the total amount ap-
- 19 propriated, not to exceed \$9,000 shall be available to
- 20 INTERPOL Washington for official reception and rep-
- 21 resentation expenses: Provided further, That notwith-
- 22 standing section 205 of this Act, upon a determination
- 23 by the Attorney General that emergent circumstances re-
- 24 quire additional funding for litigation activities of the Civil
- 25 Division, the Attorney General may transfer such amounts



- 1 to "Salaries and Expenses, General Legal Activities" from
- 2 available appropriations for the current fiscal year for the
- 3 Department of Justice, as may be necessary to respond
- 4 to such circumstances: Provided further, That any transfer
- 5 pursuant to the preceding proviso shall be treated as a
- 6 reprogramming under section 505 of this Act and shall
- 7 not be available for obligation or expenditure except in
- 8 compliance with the procedures set forth in that section:
- 9 Provided further, That of the amount appropriated, such
- 10 sums as may be necessary shall be available to the Civil
- 11 Rights Division for salaries and expenses associated with
- 12 the election monitoring program under section 8 of the
- 13 Voting Rights Act of 1965 (52 U.S.C. 10305) and to reim-
- 14 burse the Office of Personnel Management for such sala-
- 15 ries and expenses: Provided further, That of the amounts
- 16 provided under this heading for the election monitoring
- 17 program, \$3,390,000 shall remain available until ex-
- 18 pended: Provided further, That of the amount appro-
- 19 priated, not less than \$193,715,000 shall be available for
- 20 the Criminal Division, including related expenses for the
- 21 Mutual Legal Assistance Treaty Program.
- In addition, for reimbursement of expenses of the De-
- 23 partment of Justice associated with processing cases
- 24 under the National Childhood Vaccine Injury Act of 1986,



- 1 not to exceed \$10,000,000, to be appropriated from the
- 2 Vaccine Injury Compensation Trust Fund.
- 3 SALARIES AND EXPENSES, ANTITRUST DIVISION
- 4 For expenses necessary for the enforcement of anti-
- 5 trust and kindred laws, \$164,977,000, to remain available
- 6 until expended: Provided, That notwithstanding any other
- 7 provision of law, fees collected for premerger notification
- 8 filings under the Hart-Scott-Rodino Antitrust Improve-
- 9 ments Act of 1976 (15 U.S.C. 18a), regardless of the year
- 10 of collection (and estimated to be \$136,000,000 in fiscal
- 11 year 2019), shall be retained and used for necessary ex-
- 12 penses in this appropriation, and shall remain available
- 13 until expended: Provided further, That the sum herein ap-
- 14 propriated from the general fund shall be reduced as such
- 15 offsetting collections are received during fiscal year 2019,
- 16 so as to result in a final fiscal year 2019 appropriation
- 17 from the general fund estimated at \$28,977,000.
- 18 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS
- 19 For necessary expenses of the Offices of the United
- 20 States Attorneys, including inter-governmental and coop-
- 21 erative agreements, \$2,212,000,000: Provided, That of the
- 22 total amount appropriated, not to exceed \$7,200 shall be
- 23 available for official reception and representation ex-
- 24 penses: Provided further, That not to exceed \$25,000,000
- 25 shall remain available until expended: Provided further,



1	That each	United	States	Attorney	shall	establish	or	par-

- 2 ticipate in a task force on human trafficking.
- 3 UNITED STATES TRUSTEE SYSTEM FUND
- 4 For necessary expenses of the United States Trustee
- 5 Program, as authorized, \$226,000,000, to remain avail-
- 6 able until expended: Provided, That, notwithstanding any
- 7 other provision of law, deposits to the United States
- 8 Trustee System Fund and amounts herein appropriated
- 9 shall be available in such amounts as may be necessary
- 10 to pay refunds due depositors: Provided further, That, not-
- 11 withstanding any other provision of law, fees deposited
- 12 into the Fund pursuant to section 589a(b) of title 28,
- 13 United States Code (as limited by section 1004(b) of the
- 14 Bankruptcy Judgeship Act of 2017 (division B of Public
- 15 Law 115-72)), shall be retained and used for necessary
- 16 expenses in this appropriation and shall remain available
- 17 until expended: Provided further, That to the extent that
- 18 fees deposited into the Fund in fiscal year 2019, net of
- 19 amounts necessary to pay refunds due depositors, exceed
- 20 \$226,000,000, those excess amounts shall be available in
- 21 future fiscal years only to the extent provided in advance
- 22 in appropriations Acts: Provided further, That the sum
- 23 herein appropriated from the general fund shall be re-
- 24 duced (1) as such fees are received during fiscal year
- 25 2019, net of amounts necessary to pay refunds due deposi-



1	tors,	(estimated	at	\$360,000,000)	and	(2)	to	the	extent
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- 2 that any remaining general fund appropriations can be de-
- 3 rived from amounts deposited in the Fund in previous fis-
- 4 cal years that are not otherwise appropriated, so as to re-
- 5 sult in a final fiscal year 2019 appropriation from the gen-
- 6 eral fund estimated at \$0.
- 7 SALARIES AND EXPENSES, FOREIGN CLAIMS
- 8 SETTLEMENT COMMISSION
- 9 For expenses necessary to carry out the activities of
- 10 the Foreign Claims Settlement Commission, including
- 11 services as authorized by section 3109 of title 5, United
- 12 States Code, \$2,409,000.
- 13 FEES AND EXPENSES OF WITNESSES
- 14 For fees and expenses of witnesses, for expenses of
- 15 contracts for the procurement and supervision of expert
- 16 witnesses, for private counsel expenses, including ad-
- 17 vances, and for expenses of foreign counsel, \$270,000,000,
- 18 to remain available until expended, of which not to exceed
- 19 \$16,000,000 is for construction of buildings for protected
- 20 witness safesites; not to exceed \$3,000,000 is for the pur-
- 21 chase and maintenance of armored and other vehicles for
- 22 witness security caravans; and not to exceed \$18,000,000
- 23 is for the purchase, installation, maintenance, and up-
- 24 grade of secure telecommunications equipment and a se-
- 25 cure automated information network to store and retrieve



1	the identities and locations of protected witnesses: $Pro-$
2	vided, That amounts made available under this heading
3	may not be transferred pursuant to section 205 of this
4	Act.
5	SALARIES AND EXPENSES, COMMUNITY RELATIONS
6	SERVICE
7	(INCLUDING TRANSFER OF FUNDS)
8	For necessary expenses of the Community Relations
9	Service, $\$15,500,000$: $Provided$, That notwith standing sec-
10	tion 205 of this Act, upon a determination by the Attorney
11	General that emergent circumstances require additional
12	funding for conflict resolution and violence prevention ac-
13	tivities of the Community Relations Service, the Attorney
14	General may transfer such amounts to the Community Re-
15	lations Service, from available appropriations for the cur-
16	rent fiscal year for the Department of Justice, as may be
17	necessary to respond to such circumstances: $Provided\ fur-$
18	ther, That any transfer pursuant to the preceding proviso
19	shall be treated as a reprogramming under section 505
20	of this Act and shall not be available for obligation or ex-
21	penditure except in compliance with the procedures set
22	forth in that section.
23	ASSETS FORFEITURE FUND
24	For expenses authorized by subparagraphs (B), (F),
25	and (G) of section 524(c)(1) of title 28, United States



1	Code, \$20,514,000, to be derived from the Department
2	of Justice Assets Forfeiture Fund.
3	UNITED STATES MARSHALS SERVICE
4	SALARIES AND EXPENSES
5	For necessary expenses of the United States Mar-
6	shals Service, \$1,358,000,000, of which not to exceed
7	\$6,000 shall be available for official reception and rep-
8	resentation expenses, and not to exceed \$25,000,000 shall
9	remain available until expended.
10	CONSTRUCTION
11	For construction in space controlled, occupied or uti-
12	lized by the United States Marshals Service for prisoner
13	holding and related support, \$15,000,000, to remain avail-
14	able until expended.
15	FEDERAL PRISONER DETENTION
16	For necessary expenses related to United States pris-
17	oners in the custody of the United States Marshals Service
18	as authorized by section 4013 of title 18, United States
19	Code, \$1,552,397,000, to remain available until expended:
20	Provided, That not to exceed \$20,000,000 shall be consid-
21	ered "funds appropriated for State and local law enforce-
22	ment assistance" pursuant to section 4013(b) of title 18,
23	United States Code: Provided further, That the United
24	States Marshals Service shall be responsible for managing
25	the Justice Prisoner and Alien Transportation System.



1	NATIONAL SECURITY DIVISION
2	SALARIES AND EXPENSES
3	(INCLUDING TRANSFER OF FUNDS)
4	For expenses necessary to carry out the activities of
5	the National Security Division, \$101,369,000, of which
6	not to exceed \$5,000,000 for information technology sys-
7	tems shall remain available until expended: $Provided$, That
8	notwithstanding section 205 of this Act, upon a deter-
9	mination by the Attorney General that emergent cir-
10	cumstances require additional funding for the activities of
11	the National Security Division, the Attorney General may
12	transfer such amounts to this heading from available ap-
13	propriations for the current fiscal year for the Department
14	of Justice, as may be necessary to respond to such cir-
15	cumstances: $Provided\ further,$ That any transfer pursuant
16	to the preceding proviso shall be treated as a reprogram-
17	ming under section 505 of this Act and shall not be avail-
18	able for obligation or expenditure except in compliance
19	with the procedures set forth in that section.
20	INTERAGENCY LAW ENFORCEMENT
21	INTERAGENCY CRIME AND DRUG ENFORCEMENT
22	For necessary expenses for the identification, inves-
23	tigation, and prosecution of individuals associated with the
24	most significant drug trafficking organizations,
25	transnational organized crime, and money laundering or-



1	ganizations not otherwise provided for, to include inter-
2	governmental agreements with State and local law en-
3	forcement agencies engaged in the investigation and pros-
4	ecution of individuals involved in transnational organized
5	crime and drug trafficking, \$560,000,000, of which
6	\$50,000,000 shall remain available until expended: $Pro-$
7	vided, That any amounts obligated from appropriations
8	under this heading may be used under authorities avail-
9	able to the organizations reimbursed from this appropria-
10	tion.
11	FEDERAL BUREAU OF INVESTIGATION
12	SALARIES AND EXPENSES
13	For necessary expenses of the Federal Bureau of In-
14	vestigation for detection, investigation, and prosecution of
15	crimes against the United States, \$9,192,137,000, of
16	which not to exceed \$216,900,000 shall remain available
17	until expended: Provided, That not to exceed \$184,500
18	shall be available for official reception and representation
19	expenses: Provided further, That in addition to other funds
20	provided for Construction projects, the Federal Bureau of
21	Investigation may use up to \$150,000,000 appropriated
22	in prior years under this heading for all costs related to
23	construction, renovation, and modification of federally
24	owned and leased space and expansion of network capabili-
25	ties.



1	CONSTRUCTION
2	For necessary expenses, to include the cost of equip-
3	ment, furniture, and information technology requirements,
4	related to construction or acquisition of buildings, facili-
5	ties and sites by purchase, or as otherwise authorized by
6	law; conversion, modification and extension of federally
7	owned buildings; preliminary planning and design of
8	projects; and operation and maintenance of secure work
9	environment facilities and secure networking capabilities;
10	\$385,000,000, to remain available until expended.
11	Drug Enforcement Administration
12	SALARIES AND EXPENSES
13	For necessary expenses of the Drug Enforcement Ad-
14	ministration, including not to exceed \$70,000 to meet un-
15	foreseen emergencies of a confidential character pursuant
16	to section 530C of title 28, United States Code; and ex-
17	penses for conducting drug education and training pro-
18	grams, including travel and related expenses for partici-
19	pants in such programs and the distribution of items of
20	token value that promote the goals of such programs,
21	\$2,267,000,000, of which not to exceed \$75,000,000 shall
22	remain available until expended and not to exceed \$90,000
23	shall be available for official reception and representation
24	expenses: Provided, That the Drug Enforcement Adminis-
25	tration may use up to \$5.700.000 appropriated in prior



1	year funds under this heading for necessary expenses of
2	construction.
3	BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
4	EXPLOSIVES
5	SALARIES AND EXPENSES
6	For necessary expenses of the Bureau of Alcohol, To-
7	bacco, Firearms and Explosives, for training of State and
8	local law enforcement agencies with or without reimburse-
9	ment, including training in connection with the training
10	and acquisition of canines for explosives and fire
11	accelerants detection; and for provision of laboratory as-
12	sistance to State and local law enforcement agencies, with
13	or without reimbursement, \$1,316,678,000, of which not
14	to exceed \$36,000 shall be for official reception and rep-
15	resentation expenses, not to exceed \$1,000,000 shall be
16	available for the payment of attorneys' fees as provided
17	by section 924(d)(2) of title 18, United States Code, and
18	not to exceed \$20,000,000 shall remain available until ex-
19	pended: Provided, That none of the funds appropriated
20	herein shall be available to investigate or act upon applica-
21	tions for relief from Federal firearms disabilities under
22	section 925(c) of title 18, United States Code: Provided
23	further, That such funds shall be available to investigate
24	and act upon applications filed by corporations for relief
25	from Fodoral fireness disabilities under section 925(a) of



1	title 18, United States Code: Provided further, That no
2	funds made available by this or any other Act may be used
3	to transfer the functions, missions, or activities of the Bu-
4	reau of Alcohol, Tobacco, Firearms and Explosives to
5	other agencies or Departments.
6	FEDERAL PRISON SYSTEM
7	SALARIES AND EXPENSES
8	(INCLUDING TRANSFER OF FUNDS)
9	For necessary expenses of the Federal Prison System
0	for the administration, operation, and maintenance of
1	Federal penal and correctional institutions, and for the
2	provision of technical assistance and advice on corrections
3	related issues to foreign governments, \$7,250,000,000:
4	Provided, That the Attorney General may transfer to the
5	Department of Health and Human Services such amounts
6	as may be necessary for direct expenditures by that De-
7	partment for medical relief for inmates of Federal penal
8	and correctional institutions: Provided further, That the
9	Director of the Federal Prison System, where necessary,
20	may enter into contracts with a fiscal agent or fiscal inter-
21	mediary claims processor to determine the amounts pay-
22	able to persons who, on behalf of the Federal Prison Sys-
23	tem, furnish health services to individuals committed to
24	the custody of the Federal Prison System: Provided fur-
5	ther. That not to exceed \$5,400 shall be available for offi



- 1 cial reception and representation expenses: Provided fur-
- 2 ther, That not to exceed \$50,000,000 shall remain avail-
- 3 able for necessary operations until September 30, 2020:
- 4 Provided further, That, of the amounts provided for con-
- 5 tract confinement, not to exceed \$20,000,000 shall remain
- 6 available until expended to make payments in advance for
- 7 grants, contracts and reimbursable agreements, and other
- 8 expenses: Provided further, That the Director of the Fed-
- 9 eral Prison System may accept donated property and serv-
- 10 ices relating to the operation of the prison card program
- 11 from a not-for-profit entity which has operated such pro-
- 12 gram in the past, notwithstanding the fact that such not-
- 13 for-profit entity furnishes services under contracts to the
- 14 Federal Prison System relating to the operation of pre-
- 15 release services, halfway houses, or other custodial facili-
- 16 ties.
- 17 BUILDINGS AND FACILITIES
- 18 For planning, acquisition of sites, and construction
- 19 of new facilities; purchase and acquisition of facilities and
- 20 remodeling, and equipping of such facilities for penal and
- 21 correctional use, including all necessary expenses incident
- 22 thereto, by contract or force account; and constructing,
- 23 remodeling, and equipping necessary buildings and facili-
- 24 ties at existing penal and correctional institutions, includ-
- 25 ing all necessary expenses incident thereto, by contract or



1	force account.	\$264,000,000,	to remain	available	until ex-
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- 2 pended, of which \$175,000,000 shall be available only for
- 3 costs related to construction of new facilities: Provided,
- 4 That labor of United States prisoners may be used for
- 5 work performed under this appropriation.
- 6 FEDERAL PRISON INDUSTRIES, INCORPORATED
- 7 The Federal Prison Industries, Incorporated, is here-
- 8 by authorized to make such expenditures within the limits
- 9 of funds and borrowing authority available, and in accord
- 10 with the law, and to make such contracts and commit-
- 11 ments without regard to fiscal year limitations as provided
- 12 by section 9104 of title 31, United States Code, as may
- 13 be necessary in carrying out the program set forth in the
- 14 budget for the current fiscal year for such corporation.
- 15 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
- 16 PRISON INDUSTRIES, INCORPORATED
- Not to exceed \$2,700,000 of the funds of the Federal
- 18 Prison Industries, Incorporated, shall be available for its
- 19 administrative expenses, and for services as authorized by
- 20 section 3109 of title 5, United States Code, to be com-
- 21 puted on an accrual basis to be determined in accordance
- 22 with the corporation's current prescribed accounting sys-
- 23 tem, and such amounts shall be exclusive of depreciation,
- 24 payment of claims, and expenditures which such account-
- 25 ing system requires to be capitalized or charged to cost



1	of commodities acquired or produced, including selling and
2	shipping expenses, and expenses in connection with acqui-
3	sition, construction, operation, maintenance, improvement,
4	protection, or disposition of facilities and other property
5	belonging to the corporation or in which it has an interest.
6	STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES
7	OFFICE ON VIOLENCE AGAINST WOMEN
8	VIOLENCE AGAINST WOMEN PREVENTION AND
9	PROSECUTION PROGRAMS
10	(INCLUDING TRANSFER OF FUNDS)
11	For grants, contracts, cooperative agreements, and
12	other assistance for the prevention and prosecution of vio-
13	lence against women, as authorized by the Omnibus Crime
14	Control and Safe Streets Act of 1968 (34 U.S.C. 10101
15	et seq.) ("the 1968 Act"); the Violent Crime Control and
16	Law Enforcement Act of 1994 (Public Law 103–322)
17	("the 1994 Act"); the Victims of Child Abuse Act of 1990
18	(Public Law 101–647) ("the 1990 Act"); the Prosecu-
19	torial Remedies and Other Tools to end the Exploitation
20	of Children Today Act of 2003 (Public Law 108–21); the
21	Juvenile Justice and Delinquency Prevention Act of 1974
22	(34 U.S.C. 11101 et seq.) ("the 1974 Act"); the Victims
23	of Trafficking and Violence Protection Act of 2000 (Public
24	Law 106–386) ("the 2000 Act"); the Violence Against
25	Woman and Danestment of Justice Resultarization Act



1	of 2005 (Public Law 109–162) ("the 2005 Act"); the Vio-
2	lence Against Women Reauthorization Act of 2013 (Public
3	Law 113-4) ("the 2013 Act"); and the Rape Survivor
4	Child Custody Act of 2015 (Public Law 114–22) ("the
5	2015 Act"); and for related victims services,
6	\$497,500,000, to remain available until expended, which
7	shall be derived by transfer from amounts available for
8	obligation in this Act from the Fund established by section
9	1402 of chapter XIV of title II of Public Law 98–473
10	(34 U.S.C. 20101), notwithstanding section 1402(d) of
11	such Act of 1984, and merged with the amounts otherwise
12	made available under this heading: $Provided$, That except
13	as otherwise provided by law, not to exceed 5 percent of
14	funds made available under this heading may be used for
15	expenses related to evaluation, training, and technical as-
16	sistance: Provided further, That of the amount provided—
17	(1) \$215,000,000 is for grants to combat vio-
18	lence against women, as authorized by part T of the
19	1968 Act;
20	(2) \$36,000,000 is for transitional housing as-
21	sistance grants for victims of domestic violence, dat-
22	ing violence, stalking, or sexual assault as authorized
23	by section 40299 of the 1994 Act;
24	(3) \$3,000,000 is for the National Institute of
25	Justice and the Bureau of Justice Statistics for re-



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1	search, evaluation, and statistics of violence against
2	women and related issues addressed by grant pro-
3	grams of the Office on Violence Against Women,
4	which shall be transferred to "Research, Evaluation
5	and Statistics" for administration by the Office of
6	Justice Programs;
7	(4) \$11,000,000 is for a grant program to pro-
8	vide services to advocate for and respond to youth
9	victims of domestic violence, dating violence, sexual
10	assault, and stalking; assistance to children and
11	youth exposed to such violence; programs to engage
12	men and youth in preventing such violence; and as-
13	sistance to middle and high school students through
14	education and other services related to such violence:
15	Provided, That unobligated balances available for
16	the programs authorized by sections 41201, 41204,
17	41303, and 41305 of the 1994 Act, prior to its
18	amendment by the 2013 Act, shall be available for
19	this program: Provided further, That 10 percent of
20	the total amount available for this grant program
21	shall be available for grants under the program au-
22	thorized by section 2015 of the 1968 Act: Provided
23	further, That the definitions and grant conditions in
24	section 40002 of the 1994 Act shall apply to this



program;

1	(5) \$53,000,000 is for grants to encourage ar-
2	rest policies as authorized by part U of the 1968
3	Act, of which \$4,000,000 is for a homicide reduction
4	initiative;
5	(6) \$37,500,000 is for sexual assault victims
6	assistance, as authorized by section 41601 of the
7	1994 Act;
8	(7) \$42,000,000 is for rural domestic violence
9	and child abuse enforcement assistance grants, as
10	authorized by section 40295 of the 1994 Act;
11	(8) \$20,000,000 is for grants to reduce violent
12	crimes against women on campus, as authorized by
13	section 304 of the 2005 Act;
14	(9) \$45,000,000 is for legal assistance for vic-
15	tims, as authorized by section 1201 of the 2000 Act;
16	(10) \$5,000,000 is for enhanced training and
17	services to end violence against and abuse of women
18	in later life, as authorized by section 40802 of the
19	1994 Act;
20	(11) \$16,000,000 is for grants to support fami-
21	lies in the justice system, as authorized by section
22	1301 of the 2000 Act: Provided, That unobligated
23	balances available for the programs authorized by
24	section 1201 of the 2000 Act and section 41002 of



1	the 1994 Act, prior to their amendment by the 2013
2	Act, shall be available for this program;
3	(12) \$6,000,000 is for education and training
4	to end violence against and abuse of women with
5	disabilities, as authorized by section 1402 of the
6	2000 Act;
7	(13) \$1,000,000 is for the National Resource
8	Center on Workplace Responses to assist victims of
9	domestic violence, as authorized by section 41501 of
10	the 1994 Act;
11	(14) \$1,000,000 is for analysis and research on
12	violence against Indian women, including as author-
13	ized by section 904 of the 2005 Act: Provided, That
14	such funds may be transferred to "Research, Eval-
15	uation and Statistics" for administration by the Of-
16	fice of Justice Programs;
17	(15) \$500,000 is for a national clearinghouse
18	that provides training and technical assistance on
19	issues relating to sexual assault of American Indian
20	and Alaska Native women;
21	(16) \$4,000,000 is for grants to assist tribal
22	governments in exercising special domestic violence
23	criminal jurisdiction, as authorized by section 904 of
24	the 2013 Act: Provided, That the grant conditions in



1	section 40002(b) of the 1994 Act shall apply to this
2	program; and
3	(17) \$1,500,000 is for the purposes authorized
4	under the 2015 Act.
5	Office of Justice Programs
6	RESEARCH, EVALUATION AND STATISTICS
7	For grants, contracts, cooperative agreements, and
8	other assistance authorized by title I of the Omnibus
9	Crime Control and Safe Streets Act of 1968 ("the 1968
10	Act"); the Juvenile Justice and Delinquency Prevention
11	Act of 1974 ("the 1974 Act"); the Missing Children's As-
12	sistance Act (34 U.S.C. 11291 et seq.); the Prosecutorial
13	Remedies and Other Tools to end the Exploitation of Chil-
14	dren Today Act of 2003 (Public Law 108–21); the Justice
15	for All Act of 2004 (Public Law 108–405); the Violence
16	Against Women and Department of Justice Reauthoriza-
17	tion Act of 2005 (Public Law 109–162) ("the 2005 Act");
18	the Victims of Child Abuse Act of 1990 (Public Law 101–
19	647); the Second Chance Act of 2007 (Public Law 110-
20	199); the Victims of Crime Act of 1984 (Public Law 98-
21	473); the Adam Walsh Child Protection and Safety Act
22	of 2006 (Public Law 109–248) ("the Adam Walsh Act");
23	the PROTECT Our Children Act of 2008 (Public Law
24	110–401); subtitle D of title II of the Homeland Security
25	Act of 2002 (Public Law 107–296) ("the 2002 Act"); the



1	NICS Improvement Amendments Act of 2007 (Public
2	Law 110–180); the Violence Against Women Reauthoriza-
3	tion Act of 2013 (Public Law 113-4) ("the 2013 Act");
4	and other programs, \$80,000,000, to remain available
5	until expended, of which—
6	(1) \$43,000,000 is for criminal justice statistics
7	programs, and other activities, as authorized by part
8	C of title I of the 1968 Act, of which \$5,000,000 is
9	for a nationwide incident-based crime statistics pro-
10	gram; and
11	(2) \$37,000,000 is for research, development,
12	and evaluation programs, and other activities as au-
13	thorized by part B of title I of the 1968 Act and
14	subtitle D of title II of the 2002 Act, of which
15	\$4,000,000 is for research targeted toward devel-
16	oping a better understanding of the domestic
17	radicalization phenomenon, and advancing evidence-
18	based strategies for effective intervention and pre-
19	vention; \$1,000,000 is for research to study the root
20	causes of school violence to include the impact and
21	effectiveness of grants made under the STOP School
22	Violence Act; \$1,000,000 is for a study to better
23	protect children against online predatory behavior as
24	part of the National Juvenile Online Victimization



1	Studies (N–JOVS); and \$3,000,000 is for a national
2	center for restorative justice.
3	STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE
4	(INCLUDING TRANSFER OF FUNDS)
5	For grants, contracts, cooperative agreements, and
6	other assistance authorized by the Violent Crime Control
7	and Law Enforcement Act of 1994 (Public Law 103–322)
8	("the 1994 Act"); the Omnibus Crime Control and Safe
9	Streets Act of 1968 ("the 1968 Act"); the Justice for All
10	Act of 2004 (Public Law 108–405); the Victims of Child
11	Abuse Act of 1990 (Public Law 101–647) ("the 1990
12	Act"); the Trafficking Victims Protection Reauthorization
13	Act of 2005 (Public Law 109–164); the Violence Against
14	Women and Department of Justice Reauthorization Act
15	of 2005 (Public Law 109–162) ("the 2005 Act"); the
16	Adam Walsh Child Protection and Safety Act of 2006
17	(Public Law 109–248) ("the Adam Walsh Act"); the Vic-
18	tims of Trafficking and Violence Protection Act of 2000
19	(Public Law 106–386); the NICS Improvement Amend-
20	ments Act of 2007 (Public Law 110–180); subtitle D of
21	title II of the Homeland Security Act of 2002 (Public Law
22	107-296) ("the 2002 Act"); the Second Chance Act of
23	2007 (Public Law 110–199); the Prioritizing Resources
24	and Organization for Intellectual Property Act of 2008
25	(Public Law 110–403); the Victims of Crime Act of 1984



1	(Public Law 98–473); the Mentally Ill Offender Treat-
2	ment and Crime Reduction Reauthorization and Improve-
3	ment Act of 2008 (Public Law 110–416); the Violence
4	Against Women Reauthorization Act of 2013 (Public Law
5	113–4) ("the 2013 Act"); the Comprehensive Addiction
6	and Recovery Act of 2016 (Public Law 114–198)
7	("CARA"); the Justice for All Reauthorization Act of
8	2016 (Public Law 114–324); Kevin and Avonte's Law (di-
9	vision Q of Public Law 115–141) ("Kevin and Avonte's
10	Law"); the Keep Young Athletes Safe Act of 2018 (title
11	III of division S of Public Law 115–141) ("the Keep
12	Young Athletes Safe Act"); the STOP School Violence Act
13	of 2018 (title V of division S of Public Law 115–141)
14	("the STOP School Violence Act"); the Fix NICS Act of
15	2018 (title VI of division S of Public Law 115–141); the
16	Project Safe Neighborhoods Grant Program Authorization
17	Act of 2018 (Public Law 115–185); and the SUPPORT $$
18	for Patients and Communities Act (Public Law 115–271);
19	and other programs, $\$1,723,000,000$, to remain available
20	until expended as follows—
21	(1) \$423,500,000 for the Edward Byrne Memo-
22	rial Justice Assistance Grant program as authorized
23	by subpart 1 of part E of title I of the 1968 Act
24	(except that section 1001(c), and the special rules
25	for Puerto Rico under section 505(g) of title I of the



1	1968 Act shall not apply for purposes of this Act),
2	of which, notwithstanding such subpart 1,
3	\$12,000,000 is for the Officer Robert Wilson III
4	Memorial Initiative on Preventing Violence Against
5	Law Enforcement Officer Resilience and Surviv-
6	ability (VALOR), \$7,500,000 is for an initiative to
7	support evidence-based policing, \$8,000,000 is for
8	an initiative to enhance prosecutorial decision-mak-
9	ing, \$2,400,000 is for the operationalization, mainte-
10	nance and expansion of the National Missing and
11	Unidentified Persons System, \$2,500,000 is for an
12	academic based training initiative to improve police-
13	based responses to people with mental illness or de-
14	velopmental disabilities, \$2,000,000 is for a student
15	loan repayment assistance program pursuant to sec-
16	tion 952 of Public Law 110–315, \$15,500,000 is for
17	prison rape prevention and prosecution grants to
18	States and units of local government, and other pro-
19	grams, as authorized by the Prison Rape Elimi-
20	nation Act of 2003 (Public Law 108–79),
21	\$2,000,000 is for a grant program authorized by
22	Kevin and Avonte's Law, \$3,000,000 is for a re-
23	gional law enforcement technology initiative,
24	\$20,000,000 is for programs to reduce gun crime
25	and gang violence, as authorized by Public Law



1	115–185, \$5,000,000 is for the Capital Litigation
2	Improvement Grant Program, as authorized by sec-
3	tion 426 of Public Law 108-405, and for grants for
4	wrongful conviction review, \$2,000,000 is for emer-
5	gency law enforcement assistance for events occur-
6	ring during or after fiscal year 2019, as authorized
7	by section 609M of the Justice Assistance Act of
8	1984 (34 U.S.C. 50101), \$2,000,000 is for grants
9	to States and units of local government to deploy
10	managed access systems to combat contraband cell
11	phone use in prison, \$2,000,000 is for a program to
12	improve juvenile indigent defense, and \$8,000,000 is
13	for community-based violence prevention initiatives;
14	(2) \$243,500,000 for the State Criminal Alier
15	Assistance Program, as authorized by section
16	241(i)(5) of the Immigration and Nationality Act (8
17	U.S.C. 1231(i)(5)): Provided, That no jurisdiction
18	shall request compensation for any cost greater than
19	the actual cost for Federal immigration and other
20	detainees housed in State and local detention facili-
21	ties;
22	(3) \$85,000,000 for victim services programs
23	for victims of trafficking, as authorized by section
24	107(b)(2) of Public Law 106-386 for programs and



1	thorized under Public Law 109–164, or programs
2	authorized under Public Law 113-4;
3	(4) \$14,000,000 for economic, high technology
4	white collar, and Internet crime prevention grants
5	including as authorized by section 401 of Public
6	Law 110-403, of which \$2,500,000 is for competi-
7	tive grants that help State and local law enforce
8	ment tackle intellectual property thefts, and
9	\$2,000,000 for a competitive grant program for
10	training students in computer forensics and digita
11	investigation;
12	(5) \$20,000,000 for sex offender management
13	assistance, as authorized by the Adam Walsh Act
14	and related activities;
15	(6) \$25,000,000 for the matching grant pro-
16	gram for law enforcement armor vests, as authorized
17	by section 2501 of title I of the 1968 Act: Provided
18	That \$1,500,000 is transferred directly to the Na
19	tional Institute of Standards and Technology's Of
20	fice of Law Enforcement Standards for research
21	testing and evaluation programs;
22	(7) \$1,000,000 for the National Sex Offender
23	Public Website;
24	(8) \$75,000,000 for grants to States to up
25	grade criminal and mental health records for the



1	National Instant Criminal Background Check Sys-
2	tem, of which no less than \$25,000,000 shall be for
3	grants made under the authorities of the NICS Im-
4	provement Amendments Act of 2007 (Public Law
5	110–180) and Fix NICS Act of 2018;
6	(9) \$30,000,000 for Paul Coverdell Forensic
7	Sciences Improvement Grants under part BB of title
8	I of the 1968 Act;
9	(10) \$130,000,000 for DNA-related and foren-
0	sic programs and activities, of which—
1	(A) \$120,000,000 is for a DNA analysis
2	and capacity enhancement program and for
3	other local, State, and Federal forensic activi-
4	ties, including the purposes authorized under
5	section 2 of the DNA Analysis Backlog Elimi-
6	nation Act of 2000 (Public Law 106–546) (the
7	Debbie Smith DNA Backlog Grant Program):
8	Provided, That up to 4 percent of funds made
9	available under this paragraph may be used for
20	the purposes described in the DNA Training
21	and Education for Law Enforcement, Correc-
22	tional Personnel, and Court Officers program
23	(Public Law 108–405, section 303);
24	(B) \$6,000,000 is for the purposes de-
5	saribad in the Kirk Blandsworth Post Convie



1	tion DNA Testing Grant Program (Public Law
2	108–405, section 412); and
3	(C) \$4,000,000 is for Sexual Assault Fo-
4	rensic Exam Program grants, including as au-
5	thorized by section 304 of Public Law 108–405;
6	(11) \$48,000,000 for a grant program for com-
7	munity-based sexual assault response reform;
8	(12) \$12,000,000 for the court-appointed spe-
9	cial advocate program, as authorized by section 217
10	of the 1990 Act;
11	(13) \$37,500,000 for assistance to Indian
12	tribes;
13	(14) \$87,500,000 for offender reentry programs
14	and research, as authorized by the Second Chance
15	Act of 2007 (Public Law 110–199), without regard
16	to the time limitations specified at section $6(1)$ of
17	such Act, of which not to exceed \$6,000,000 is for
18	a program to improve State, local, and tribal proba-
19	tion or parole supervision efforts and strategies,
20	\$5,000,000 is for Children of Incarcerated Parents
21	Demonstrations to enhance and maintain parental
22	and family relationships for incarcerated parents as
23	a reentry or recidivism reduction strategy, and
24	\$4,000,000 is for additional replication sites employ-
25	ing the Project HOPE Opportunity Probation with



1	Enforcement model implementing swift and certain
2	sanctions in probation, and for a research project on
3	the effectiveness of the model: Provided, That up to
4	\$7,500,000 of funds made available in this para-
5	graph may be used for performance-based awards
6	for Pay for Success projects, of which up to
7	\$5,000,000 shall be for Pay for Success programs
8	implementing the Permanent Supportive Housing
9	Model;
10	(15) \$66,500,000 for initiatives to improve po-
11	lice-community relations, of which \$22,500,000 is
12	for a competitive matching grant program for pur-
13	chases of body-worn cameras for State, local and
14	Tribal law enforcement, \$27,000,000 is for a justice
15	reinvestment initiative, for activities related to crimi-
16	nal justice reform and recidivism reduction, and
17	\$17,000,000 is for an Edward Byrne Memorial
18	criminal justice innovation program;
19	(16) \$347,000,000 for comprehensive opioid
20	abuse reduction activities, including as authorized by
21	CARA, and for the following programs, which shall
22	address opioid abuse reduction consistent with un-
23	derlying program authorities—



1	(A) \$77,000,000 for Drug Courts, as au-
2	thorized by section 1001(a)(25)(A) of title I of
3	the 1968 Act;
4	(B) \$31,000,000 for mental health courts
5	and adult and juvenile collaboration program
6	grants, as authorized by parts V and HH of
7	title I of the 1968 Act, and the Mentally Ill Of-
8	fender Treatment and Crime Reduction Reau-
9	thorization and Improvement Act of 2008 (Pub-
10	lie Law 110–416);
11	(C) \$30,000,000 for grants for Residentia
12	Substance Abuse Treatment for State Pris-
13	oners, as authorized by part S of title I of the
14	1968 Act;
15	(D) \$22,000,000 for a veterans treatment
16	courts program;
17	(E) \$30,000,000 for a program to monitor
18	prescription drugs and scheduled listed chemical
19	products; and
20	(F) \$157,000,000 for a comprehensive
21	opioid abuse program;
22	(17) \$2,500,000 for a competitive grant pro-
23	gram authorized by the Keep Young Athletes Safe
24	Act: and



1	(18) \$75,000,000 for grants to be administered
2	by the Bureau of Justice Assistance for purposes au-
3	thorized under the STOP School Violence Act:
4	Provided, That, if a unit of local government uses any of
5	the funds made available under this heading to increase
6	the number of law enforcement officers, the unit of local
7	government will achieve a net gain in the number of law
8	enforcement officers who perform non-administrative pub-
9	lic sector safety service.
10	JUVENILE JUSTICE PROGRAMS
11	For grants, contracts, cooperative agreements, and
12	other assistance authorized by the Juvenile Justice and
13	Delinquency Prevention Act of 1974 ("the 1974 Act"); the
14	Omnibus Crime Control and Safe Streets Act of 1968
15	("the 1968 Act"); the Violence Against Women and De-
16	partment of Justice Reauthorization Act of 2005 (Public
17	Law 109–162) ("the 2005 Act"); the Missing Children's
18	Assistance Act (34 U.S.C. 11291 et seq.); the Prosecu-
19	torial Remedies and Other Tools to end the Exploitation
20	of Children Today Act of 2003 (Public Law 108–21); the
21	Victims of Child Abuse Act of 1990 (Public Law 101–
22	647) ("the 1990 Act"); the Adam Walsh Child Protection
23	and Safety Act of 2006 (Public Law 109–248) ("the
24	Adam Walsh Act"); the PROTECT Our Children Act of
25	2008 (Public Law 110, 401), the Violence Against Woman



1	Reauthorization Act of 2013 (Public Law 113–4) ("the
2	2013 Act"); the Justice for All Reauthorization Act of
3	2016 (Public Law 114-324); and other juvenile justice
4	programs, \$287,000,000, to remain available until ex-
5	pended as follows—
6	(1) \$60,000,000 for programs authorized by
7	section 221 of the 1974 Act, and for training and
8	technical assistance to assist small, nonprofit organi-
9	zations with the Federal grants process: Provided,
10	That of the amounts provided under this paragraph,
11	\$500,000 shall be for a competitive demonstration
12	grant program to support emergency planning
13	among State, local and tribal juvenile justice resi-
14	dential facilities;
15	(2) \$95,000,000 for youth mentoring grants;
16	(3) \$24,500,000 for delinquency prevention, as
17	authorized by section 505 of the 1974 Act, of which,
18	pursuant to sections 261 and 262 thereof—
19	(A) $$5,000,000$ shall be for the Tribal
20	Youth Program;
21	(B) \$500,000 shall be for an Internet site
22	providing information and resources on children
23	of incarcerated parents;



1	(C) $$2,000,000$ shall be for competitive
2	grants focusing on girls in the juvenile justice
3	system;
4	(D) \$9,000,000 shall be for an opioid-af-
5	fected youth initiative; and
6	(E) \$8,000,000 shall be for an initiative
7	relating to children exposed to violence;
8	(4) \$22,500,000 for programs authorized by
9	the Victims of Child Abuse Act of 1990;
0	(5) \$82,000,000 for missing and exploited chil-
1	dren programs, including as authorized by sections
2	404(b) and 405(a) of the 1974 Act (except that sec-
3	tion 102(b)(4)(B) of the PROTECT Our Children
4	Act of 2008 (Public Law 110-401) shall not apply
5	for purposes of this Act); and
6	(6) \$3,000,000 for child abuse training pro-
7	grams for judicial personnel and practitioners, as
8	authorized by section 222 of the 1990 Act:
9	Provided, That not more than 10 percent of each amount
20	may be used for research, evaluation, and statistics activi-
21	ties designed to benefit the programs or activities author-
22	ized: Provided further, That not more than 2 percent of
23	the amounts designated under paragraphs (1) through (3)
24	and (6) may be used for training and technical assistance:
25	Provided further. That the two preceding provisos shall not



Ţ	apply to grants and projects administered pursuant to sec-
2	tions 261 and 262 of the 1974 Act and to missing and
3	exploited children programs.
4	PUBLIC SAFETY OFFICER BENEFITS
5	(INCLUDING TRANSFER OF FUNDS)
6	For payments and expenses authorized under section
7	1001(a)(4) of title I of the Omnibus Crime Control and
8	Safe Streets Act of 1968, such sums as are necessary (in-
9	cluding amounts for administrative costs), to remain avail-
0	able until expended; and \$24,800,000 for payments au-
1	thorized by section 1201(b) of such Act and for edu-
2	cational assistance authorized by section 1218 of such Act,
3	to remain available until expended: Provided, That not-
4	withstanding section 205 of this Act, upon a determina-
5	tion by the Attorney General that emergent circumstances
6	require additional funding for such disability and edu-
7	cation payments, the Attorney General may transfer such
8	amounts to "Public Safety Officer Benefits" from avail-
9	able appropriations for the Department of Justice as may
20	be necessary to respond to such circumstances: Provided
21	further, That any transfer pursuant to the preceding pro-
22	viso shall be treated as a reprogramming under section
23	505 of this Act and shall not be available for obligation
24	or expenditure except in compliance with the procedures
5	set forth in that section



1	Community Oriented Policing Services
2	COMMUNITY ORIENTED POLICING SERVICES PROGRAMS
3	(INCLUDING TRANSFER OF FUNDS)
4	For activities authorized by the Violent Crime Con-
5	trol and Law Enforcement Act of 1994 (Public Law 103–
6	322); the Omnibus Crime Control and Safe Streets Act
7	of 1968 ("the 1968 Act"); the Violence Against Women
8	and Department of Justice Reauthorization Act of 2005
9	(Public Law 109–162) ("the 2005 Act"); and the SUP-
10	PORT for Patients and Communities Act (Public Law
11	115–271), \$303,500,000, to remain available until ex-
12	pended: Provided, That any balances made available
13	through prior year deobligations shall only be available in
14	accordance with section 505 of this Act: Provided further,
15	That of the amount provided under this heading—
16	(1) \$228,500,000 is for grants under section
17	1701 of title I of the 1968 Act (34 U.S.C. 10381)
18	for the hiring and rehiring of additional career law
19	enforcement officers under part Q of such title not-
20	withstanding subsection (i) of such section: Pro-
21	vided, That, notwithstanding section 1704(c) of such
22	title (34 U.S.C. 10384(e)), funding for hiring or re-
23	hiring a career law enforcement officer may not ex-
24	ceed \$125,000 unless the Director of the Office of
25	Community Oriented Policing Services grants a



1	waiver from this limitation: Provided further, That
2	within the amounts appropriated under this para-
3	graph, \$27,000,000 is for improving tribal law en-
4	forcement, including hiring, equipment, training,
5	anti-methamphetamine activities, and anti-opioid ac-
6	tivities: Provided further, That of the amounts ap-
7	propriated under this paragraph, \$6,500,000 is for
8	community policing development activities in fur-
9	therance of the purposes in section 1701: Provided
10	further, That of the amounts appropriated under
11	this paragraph \$37,000,000 is for regional informa-
12	tion sharing activities, as authorized by part M of
13	title I of the 1968 Act, which shall be transferred
14	to and merged with "Research, Evaluation, and Sta-
15	tistics" for administration by the Office of Justice
16	Programs: Provided further, That within the
17	amounts appropriated under this paragraph, no less
18	than \$3,000,000 is to support the Tribal Access
19	Program: Provided further, That within the amounts
20	appropriated under this paragraph, \$2,000,000 is
21	for training, peer mentoring, and mental health pro-
22	gram activities as authorized under the Law En-
23	forcement Mental Health and Wellness Act (Public
24	Law 115–113);



1	(2) \$10,000,000 is for activities authorized by
2	the POLICE Act of 2016 (Public Law 114–199);
3	(3) \$8,000,000 is for competitive grants to
4	State law enforcement agencies in States with high
5	seizures of precursor chemicals, finished meth-
6	amphetamine, laboratories, and laboratory dump sei-
7	zures: Provided, That funds appropriated under this
8	paragraph shall be utilized for investigative purposes
9	to locate or investigate illicit activities, including
10	precursor diversion, laboratories, or methamphet-
11	amine traffickers;
12	(4) \$32,000,000 is for competitive grants to
13	statewide law enforcement agencies in States with
14	high rates of primary treatment admissions for her-
15	oin and other opioids: Provided, That these funds
16	shall be utilized for investigative purposes to locate
17	or investigate illicit activities, including activities re-
18	lated to the distribution of heroin or unlawful dis-
19	tribution of prescription opioids, or unlawful heroin
20	and prescription opioid traffickers through statewide
21	collaboration; and
22	(5) \$25,000,000 is for competitive grants to be
23	administered by the Community Oriented Policing
24	Services Office for purposes authorized under the



1	STOP School Violence Act (title V of division S of
2	Public Law 115–141).
3	GENERAL PROVISIONS—DEPARTMENT OF JUSTICE
4	(INCLUDING TRANSFER OF FUNDS)
5	Sec. 201. In addition to amounts otherwise made
6	available in this title for official reception and representa-
7	tion expenses, a total of not to exceed \$50,000 from funds
8	appropriated to the Department of Justice in this title
9	shall be available to the Attorney General for official re-
10	ception and representation expenses.
11	Sec. 202. None of the funds appropriated by this
12	title shall be available to pay for an abortion, except where
13	the life of the mother would be endangered if the fetus
14	were carried to term, or in the case of rape or incest: $Pro-$
15	vided, That should this prohibition be declared unconstitu-
16	tional by a court of competent jurisdiction, this section
17	shall be null and void.
18	Sec. 203. None of the funds appropriated under this
19	title shall be used to require any person to perform, or
20	facilitate in any way the performance of, any abortion.
21	Sec. 204. Nothing in the preceding section shall re-
22	move the obligation of the Director of the Bureau of Pris-
23	ons to provide escort services necessary for a female in-
24	mate to receive such service outside the Federal facility
25	Provided That nothing in this section in any way dimin-



- 1 ishes the effect of section 203 intended to address the phil-
- 2 osophical beliefs of individual employees of the Bureau of
- 3 Prisons.
- 4 Sec. 205. Not to exceed 5 percent of any appropria-
- 5 tion made available for the current fiscal year for the De-
- 6 partment of Justice in this Act may be transferred be-
- 7 tween such appropriations, but no such appropriation, ex-
- 8 cept as otherwise specifically provided, shall be increased
- 9 by more than 10 percent by any such transfers: Provided,
- 10 That any transfer pursuant to this section shall be treated
- 11 as a reprogramming of funds under section 505 of this
- 12 Act and shall not be available for obligation except in com-
- 13 pliance with the procedures set forth in that section.
- 14 Sec. 206. None of the funds made available under
- 15 this title may be used by the Federal Bureau of Prisons
- 16 or the United States Marshals Service for the purpose of
- 17 transporting an individual who is a prisoner pursuant to
- 18 conviction for crime under State or Federal law and is
- 19 classified as a maximum or high security prisoner, other
- 20 than to a prison or other facility certified by the Federal
- 21 Bureau of Prisons as appropriately secure for housing
- 22 such a prisoner.
- Sec. 207. (a) None of the funds appropriated by this
- 24 Act may be used by Federal prisons to purchase cable tele-
- 25 vision services, or to rent or purchase audiovisual or elec-



- 1 tronic media or equipment used primarily for recreational
- 2 purposes.
- 3 (b) Subsection (a) does not preclude the rental, main-
- 4 tenance, or purchase of audiovisual or electronic media or
- 5 equipment for inmate training, religious, or educational
- 6 programs.
- 7 Sec. 208. None of the funds made available under
- 8 this title shall be obligated or expended for any new or
- 9 enhanced information technology program having total es-
- 10 timated development costs in excess of \$100,000,000, un-
- 11 less the Deputy Attorney General and the investment re-
- 12 view board certify to the Committees on Appropriations
- 13 of the House of Representatives and the Senate that the
- 14 information technology program has appropriate program
- 15 management controls and contractor oversight mecha-
- 16 nisms in place, and that the program is compatible with
- 17 the enterprise architecture of the Department of Justice.
- 18 Sec. 209. The notification thresholds and procedures
- 19 set forth in section 505 of this Act shall apply to devi-
- 20 ations from the amounts designated for specific activities
- 21 in this Act and in the explanatory statement described in
- 22 section 4 (in the matter preceding division A of this con-
- 23 solidated Act), and to any use of deobligated balances of
- 24 funds provided under this title in previous years.



1	Sec. 210. None of the funds appropriated by this Act
2	may be used to plan for, begin, continue, finish, process,
3	or approve a public-private competition under the Office
4	of Management and Budget Circular A-76 or any suc-
5	cessor administrative regulation, directive, or policy for
6	work performed by employees of the Bureau of Prisons
7	or of Federal Prison Industries, Incorporated.
8	Sec. 211. Notwithstanding any other provision of
9	law, no funds shall be available for the salary, benefits,
10	or expenses of any United States Attorney assigned dual
11	or additional responsibilities by the Attorney General or
12	his designee that exempt that United States Attorney
13	from the residency requirements of section 545 of title 28,
14	United States Code.
15	Sec. 212. At the discretion of the Attorney General,
16	and in addition to any amounts that otherwise may be
17	available (or authorized to be made available) by law, with
18	respect to funds appropriated by this title under the head-
19	ings "Research, Evaluation and Statistics", "State and
20	Local Law Enforcement Assistance", and "Juvenile Jus-
21	tice Programs''—
22	(1) up to 3 percent of funds made available to
23	the Office of Justice Programs for grant or reim-
24	bursement programs may be used by such Office to
25	provide training and technical assistance; and



1	(2) up to 2.5 percent of funds made available
2	for grant or reimbursement programs under such
3	headings, except for amounts appropriated specifi-
4	cally for research, evaluation, or statistical programs
5	administered by the National Institute of Justice
6	and the Bureau of Justice Statistics, shall be trans-
7	ferred to and merged with funds provided to the Na-
8	tional Institute of Justice and the Bureau of Justice
9	Statistics, to be used by them for research, evalua-
10	tion, or statistical purposes, without regard to the
11	authorizations for such grant or reimbursement pro-
12	grams.
13	Sec. 213. Upon request by a grantee for whom the
14	Attorney General has determined there is a fiscal hard-
15	ship, the Attorney General may, with respect to funds ap-
16	propriated in this or any other Act making appropriations
17	for fiscal years 2016 through 2019 for the following pro-
18	grams, waive the following requirements:
19	(1) For the adult and juvenile offender State
20	and local reentry demonstration projects under part
21	FF of title I of the Omnibus Crime Control and
22	Safe Streets Act of 1968 (34 U.S.C. 10631 et seq.)
23	the requirements under section $2976(g)(1)$ of such
24	part (34 U.S.C. 10631(g)(1)).



1	(2) For State, Tribal, and local reentry courts
2	under part FF of title I of such Act of 1968 (34
3	U.S.C. 10631 et seq.), the requirements under sec-
4	tion 2978(e)(1) and (2) of such part (34 U.S.C.
5	10633(e)(1) and (2)).
6	(3) For the prosecution drug treatment alter-
7	natives to prison program under part CC of title I
8	of such Act of 1968 (34 U.S.C. 10581), the require-
9	ments under the second sentence of section 2901(f)
10	of such part (34 U.S.C. 10581(f)).
11	Sec. 214. Notwithstanding any other provision of
12	law, section 20109(a) of subtitle A of title II of the Violent
13	Crime Control and Law Enforcement Act of 1994 (34
14	U.S.C. 12109(a)) shall not apply to amounts made avail-
15	able by this or any other Act.
16	Sec. 215. None of the funds made available under
17	this Act, other than for the national instant criminal back-
18	ground check system established under section 103 of the
19	Brady Handgun Violence Prevention Act (34 U.S.C.
20	40901), may be used by a Federal law enforcement officer
21	to facilitate the transfer of an operable firearm to an indi-
22	vidual if the Federal law enforcement officer knows or sus-
23	pects that the individual is an agent of a drug cartel, un-
24	less law enforcement personnel of the United States con-
25	tinuously monitor or control the firearm at all times



- 1 Sec. 216. (a) None of the income retained in the De-
- 2 partment of Justice Working Capital Fund pursuant to
- 3 title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.
- 4 527 note) shall be available for obligation during fiscal
- 5 year 2019, except up to \$12,000,000 may be obligated for
- 6 implementation of a unified Department of Justice finan-
- 7 cial management system.
- 8 (b) Not to exceed \$30,000,000 of the unobligated bal-
- 9 ances transferred to the capital account of the Department
- 10 of Justice Working Capital Fund pursuant to title I of
- 11 Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note)
- 12 shall be available for obligation in fiscal year 2019, and
- 13 any use, obligation, transfer or allocation of such funds
- 14 shall be treated as a reprogramming of funds under sec-
- 15 tion 505 of this Act.
- (c) Not to exceed \$10,000,000 of the excess unobli-
- 17 gated balances available under section 524(c)(8)(E) of
- 18 title 28, United States Code, shall be available for obliga-
- 19 tion during fiscal year 2019, and any use, obligation,
- 20 transfer or allocation of such funds shall be treated as a
- 21 reprogramming of funds under section 505 of this Act.
- Sec. 217. Discretionary funds that are made avail-
- 23 able in this Act for the Office of Justice Programs may
- 24 be used to participate in Performance Partnership Pilots
- 25 authorized under section 526 of division H of Public Law



- 1 113-76, section 524 of division G of Public Law 113-235,
- 2 section 525 of division H of Public Law 114-113, and
- 3 such authorities as are enacted for Performance Partner-
- 4 ship Pilots in an appropriations Act for fiscal years 2018
- 5 and 2019.
- 6 This title may be cited as the "Department of Justice
- 7 Appropriations Act, 2019".



1	TITLE III
2	SCIENCE
3	OFFICE OF SCIENCE AND TECHNOLOGY POLICY
4	For necessary expenses of the Office of Science and
5	Technology Policy, in carrying out the purposes of the Na-
6	tional Science and Technology Policy, Organization, and
7	Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of
8	passenger motor vehicles, and services as authorized by
9	section 3109 of title 5, United States Code, not to exceed
10	\$2,250 for official reception and representation expenses,
11	and rental of conference rooms in the District of Colum-
12	bia, \$5,544,000.
13	NATIONAL SPACE COUNCIL
14	For necessary expenses of the National Space Coun-
15	cil, in carrying out the purposes of Title V of Public Law
16	100-685 and Executive Order 13803, hire of passenger
16 17 18	
17 18	motor vehicles, and services as authorized by section 3109
17 18 19	motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for
17 18 19	motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for official reception and representation expenses,
17 18 19 20	motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for official reception and representation expenses, \$1,965,000: <i>Provided</i> , That notwithstanding any other
17 18 19 20 21	motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for official reception and representation expenses, \$1,965,000: <i>Provided</i> , That notwithstanding any other provision of law, the National Space Council may accept
117 118 119 220 221	motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for official reception and representation expenses, \$1,965,000: Provided, That notwithstanding any other provision of law, the National Space Council may accept personnel support from Federal agencies, departments,



1	NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
2	SCIENCE
3	For necessary expenses, not otherwise provided for
4	in the conduct and support of science research and devel-
5	opment activities, including research, development, oper-
6	ations, support, and services; maintenance and repair, fa-
7	cility planning and design; space flight, spacecraft control
8	and communications activities; program management; per-
9	sonnel and related costs, including uniforms or allowances
10	therefor, as authorized by sections 5901 and 5902 of title
11	5, United States Code; travel expenses; purchase and hire
12	of passenger motor vehicles; and purchase, lease, charter
13	maintenance, and operation of mission and administrative
14	aircraft, \$6,905,700,000, to remain available until Sep-
15	tember 30, 2020: Provided, That, of the amounts pro-
16	vided, \$545,000,000 is for an orbiter and \$195,000,000
17	is for a lander to meet the science goals for the Jupiter
18	Europa mission as recommended in previous Planetary
19	Science Decadal surveys: Provided further, That the Na-
20	tional Aeronautics and Space Administration shall use the
21	Space Launch System as the launch vehicles for the Jupi-
22	ter Europa missions, plan for an orbiter launch no later
23	than 2023 and a lander launch no later than 2025, and
24	include in the fiscal year 2020 budget the 5-year funding
25	profile necessary to achieve these goals.



1	AERONAUTICS
2	For necessary expenses, not otherwise provided for,
3	in the conduct and support of aeronautics research and
4	development activities, including research, development,
5	operations, support, and services; maintenance and repair,
6	facility planning and design; space flight, spacecraft con-
7	trol, and communications activities; program manage-
8	ment; personnel and related costs, including uniforms or
9	allowances therefor, as authorized by sections 5901 and
10	5902 of title 5, United States Code; travel expenses; pur-
11	chase and hire of passenger motor vehicles; and purchase,
12	lease, charter, maintenance, and operation of mission and
13	administrative aircraft, \$725,000,000, to remain available
14	until September 30, 2020.
15	SPACE TECHNOLOGY
16	For necessary expenses, not otherwise provided for,
17	in the conduct and support of space technology research
18	and development activities, including research, develop-
19	ment, operations, support, and services; maintenance and
20	repair, facility planning and design; space flight, space-
21	craft control, and communications activities; program
22	management; personnel and related costs, including uni-
23	forms or allowances therefor, as authorized by sections
24	5901 and 5902 of title 5, United States Code; travel ex-
25	nenses: nurchase and hire of nassenger motor vehicles: and



- 1 purchase, lease, charter, maintenance, and operation of
- 2 mission and administrative aircraft, \$926,900,000, to re-
- 3 main available until September 30, 2020: Provided, That
- 4 \$180,000,000 shall be for RESTORE-L.
- 5 EXPLORATION
- 6 For necessary expenses, not otherwise provided for,
- 7 in the conduct and support of exploration research and
- 8 development activities, including research, development,
- 9 operations, support, and services; maintenance and repair,
- 10 facility planning and design; space flight, spacecraft con-
- 11 trol, and communications activities; program manage-
- 12 ment; personnel and related costs, including uniforms or
- 13 allowances therefor, as authorized by sections 5901 and
- 14 5902 of title 5, United States Code; travel expenses; pur-
- 15 chase and hire of passenger motor vehicles; and purchase,
- 16 lease, charter, maintenance, and operation of mission and
- 17 administrative aircraft, \$5,050,800,000, to remain avail-
- 18 able until September 30, 2020: Provided, That not less
- 19 than \$1,350,000,000 shall be for the Orion Multi-Purpose
- 20 Crew Vehicle: Provided further, That not less than
- 21 \$2,150,000,000 shall be for the Space Launch System
- 22 (SLS) launch vehicle, which shall have a lift capability not
- 23 less than 130 metric tons and which shall have core ele-
- 24 ments and an Exploration Upper Stage developed simulta-
- 25 neously: Provided further, That of the amounts provided



- 1 for SLS, not less than \$150,000,000 shall be for Explo-
- 2 ration Upper Stage development: Provided further, That
- 3 \$592,800,000 shall be for Exploration Ground Systems,
- 4 including \$48,000,000 for a second mobile launch plat-
- 5 form and associated SLS activities: Provided further, That
- 6 the National Aeronautics and Space Administration
- 7 (NASA) shall provide to the Committees on Appropria-
- 8 tions of the House of Representatives and the Senate, con-
- 9 current with the annual budget submission, a 5-year budg-
- 10 et profile for an integrated system that includes the Space
- 11 Launch System, the Orion Multi-Purpose Crew Vehicle,
- 12 and associated ground systems that will ensure an Explo-
- 13 ration Mission-2 crewed launch as early as possible, as
- 14 well as a system-based funding profile for a sustained
- 15 launch cadence beyond the initial crewed test launch: Pro-
- 16 vided further, That \$958,000,000 shall be for exploration
- 17 research and development.
- 18 SPACE OPERATIONS
- 19 For necessary expenses, not otherwise provided for,
- 20 in the conduct and support of space operations research
- 21 and development activities, including research, develop-
- 22 ment, operations, support and services; space flight, space-
- 23 craft control and communications activities, including op-
- 24 erations, production, and services; maintenance and re-
- 25 pair, facility planning and design; program management;



1	personnel	and	related	costs	including	uniforms	or	allow-
	personner	and	Totaled	COBUB,	merading	uninorms	OI	anow

- 2 ances therefor, as authorized by sections 5901 and 5902
- 3 of title 5, United States Code; travel expenses; purchase
- 4 and hire of passenger motor vehicles; and purchase, lease,
- 5 charter, maintenance and operation of mission and admin-
- 6 istrative aircraft, \$4,639,100,000, to remain available
- 7 until September 30, 2020.
- 8 SCIENCE, TECHNOLOGY, ENGINEERING, AND
- 9 MATHEMATICS ENGAGEMENT
- For necessary expenses, not otherwise provided for,
- 11 in the conduct and support of aerospace and aeronautical
- 12 education research and development activities, including
- 13 research, development, operations, support, and services;
- 14 program management; personnel and related costs, includ-
- 15 ing uniforms or allowances therefor, as authorized by sec-
- 16 tions 5901 and 5902 of title 5, United States Code; travel
- 17 expenses; purchase and hire of passenger motor vehicles;
- 18 and purchase, lease, charter, maintenance, and operation
- 19 of mission and administrative aircraft, \$110,000,000, to
- 20 remain available until September 30, 2020, of which
- 21 \$21,000,000 shall be for the Established Program to
- 22 Stimulate Competitive Research and \$44,000,000 shall be
- 23 for the National Space Grant College and Fellowship Pro-
- 24 gram.



1	SAFETY, SECURITY AND MISSION SERVICES
2	For necessary expenses, not otherwise provided for,
3	in the conduct and support of science, aeronautics, space
4	technology, exploration, space operations and education
5	research and development activities, including research,
6	development, operations, support, and services; mainte-
7	nance and repair, facility planning and design; space
8	flight, spacecraft control, and communications activities;
9	program management; personnel and related costs, includ-
10	ing uniforms or allowances therefor, as authorized by sec-
11	tions 5901 and 5902 of title 5, United States Code; travel
12	expenses; purchase and hire of passenger motor vehicles;
13	not to exceed \$63,000 for official reception and represen-
14	tation expenses; and purchase, lease, charter, mainte-
15	nance, and operation of mission and administrative air-
16	craft, \$2,755,000,000, to remain available until Sep-
17	tember 30, 2020.
18	CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND
19	RESTORATION
20	For necessary expenses for construction of facilities
21	including repair, rehabilitation, revitalization, and modi-
22	fication of facilities, construction of new facilities and ad-
23	ditions to existing facilities, facility planning and design,
24	and restoration, and acquisition or condemnation of real
25	property, as authorized by law, and environmental compli-



1	ance and restoration, \$348,200,000, to remain available
2	until September 30, 2024: Provided, That proceeds from
3	leases deposited into this account shall be available for a
4	period of 5 years to the extent and in amounts as provided
5	in annual appropriations $Acts: Provided\ further,\ That\ such$
6	proceeds referred to in the preceding proviso shall be avail-
7	able for obligation for fiscal year 2019 in an amount not
8	to exceed \$17,000,000: Provided further, That each an-
9	nual budget request shall include an annual estimate of
10	gross receipts and collections and proposed use of all funds
11	collected pursuant to section 20145 of title 51, United
12	States Code.
13	OFFICE OF INSPECTOR GENERAL
13 14	OFFICE OF INSPECTOR GENERAL For necessary expenses of the Office of Inspector
14	For necessary expenses of the Office of Inspector
14 15 16	For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978,
14 15	For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$39,300,000, of which \$500,000 shall remain available
14 15 16 17	For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$39,300,000, of which \$500,000 shall remain available until September 30, 2020.
14 15 16 17	For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$39,300,000, of which \$500,000 shall remain available until September 30, 2020. ADMINISTRATIVE PROVISIONS
14 15 16 17 18 19 20	For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$39,300,000, of which \$500,000 shall remain available until September 30, 2020. ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFERS OF FUNDS)
14 15 16 17 18	For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$39,300,000, of which \$500,000 shall remain available until September 30, 2020. ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFERS OF FUNDS) Funds for any announced prize otherwise authorized
14 15 16 17 18 19 20	For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$39,300,000, of which \$500,000 shall remain available until September 30, 2020. ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFERS OF FUNDS) Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until



25 nautics and Space Administration in this Act may be

- 1 transferred between such appropriations, but no such ap-
- 2 propriation, except as otherwise specifically provided, shall
- 3 be increased by more than 10 percent by any such trans-
- 4 fers. Balances so transferred shall be merged with and
- 5 available for the same purposes and the same time period
- 6 as the appropriations to which transferred. Any transfer
- 7 pursuant to this provision shall be treated as a reprogram-
- 8 ming of funds under section 505 of this Act and shall not
- 9 be available for obligation except in compliance with the
- 10 procedures set forth in that section.
- 11 The spending plan required by this Act shall be pro-
- 12 vided by NASA at the theme, program, project and activ-
- 13 ity level. The spending plan, as well as any subsequent
- 14 change of an amount established in that spending plan
- 15 that meets the notification requirements of section 505 of
- 16 this Act, shall be treated as a reprogramming under sec-
- 17 tion 505 of this Act and shall not be available for obliga-
- 18 tion or expenditure except in compliance with the proce-
- 19 dures set forth in that section.
- The unexpired balances of the "Education" account,
- 21 for activities for which funds are provided in this Act, may
- 22 be transferred to the "Science, Technology, Engineering,
- 23 and Mathematics Engagement" account established in
- 24 this Act. Balances so transferred shall be merged with the
- 25 funds in the newly established account, but shall be avail-



1	able under the same terms, conditions and period of time
2	as previously appropriated.
3	Not more than 50 percent of the amounts made avail-

- 4 able in this Act for the Lunar Orbital Platform; Advanced
- 5 Cislunar and Surface Capabilities; Commercial LEO De-
- 6 velopment; and Lunar Discovery and Exploration, exclud-
- 7 ing the Lunar Reconnaissance Orbiter, may be obligated
- 8 until the Administrator submits a multi-year plan to the
- 9 Committees on Appropriations of the House of Represent-
- 10 atives and the Senate that identifies estimated dates, by
- 11 fiscal year, for Space Launch System flights to build the
- 12 Lunar Orbital Platform; the commencement of partner-
- 13 ships with commercial entities for additional LEO mis-
- 14 sions to land humans and rovers on the Moon; and con-
- 15 ducting additional scientific activities on the Moon. The
- 16 multi-year plan shall include key milestones to be met by
- 17 fiscal year to achieve goals for each of the lunar programs
- 18 described in the previous sentence and funding required
- 19 by fiscal year to achieve such milestones.
- 20 NATIONAL SCIENCE FOUNDATION
- 21 RESEARCH AND RELATED ACTIVITIES
- 22 For necessary expenses in carrying out the National
- 23 Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),
- 24 and Public Law 86–209 (42 U.S.C. 1880 et seq.); services
- 25 as authorized by section 3109 of title 5, United States



	Code; maintenance and operation of aircraft and purchase
2	of flight services for research support; acquisition of air
3	craft; and authorized travel; \$6,520,000,000, to remain
4	available until September 30, 2020, of which not to exceed
5	\$544,000,000 shall remain available until expended for
6	polar research and operations support, and for reimburse
7	ment to other Federal agencies for operational and science
8	support and logistical and other related activities for the
9	United States Antarctic program: Provided, That receipts
10	for scientific support services and materials furnished by
11	the National Research Centers and other National Science
12	Foundation supported research facilities may be credited
13	to this appropriation.
14	MAJOR RESEARCH EQUIPMENT AND FACILITIES
14 15	MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION
15	CONSTRUCTION
15 16 17	CONSTRUCTION For necessary expenses for the acquisition, construction
15 16 17	CONSTRUCTION For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research
15 16 17 18	CONSTRUCTION For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursu
15 16 17 18 19	For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42)
15 16 17 18	For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel
15 16 17 18 19 20 21	For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel \$295,740,000, to remain available until expended.



25 programs and activities pursuant to the National Science

- 1 Foundation Act of 1950 (42 U.S.C. 1861 et seq.), includ-
- 2 ing services as authorized by section 3109 of title 5,
- 3 United States Code, authorized travel, and rental of con-
- 4 ference rooms in the District of Columbia, \$910,000,000,
- 5 to remain available until September 30, 2020.
- 6 AGENCY OPERATIONS AND AWARD MANAGEMENT
- 7 For agency operations and award management nec-
- 8 essary in carrying out the National Science Foundation
- 9 Act of 1950 (42 U.S.C. 1861 et seq.); services authorized
- 10 by section 3109 of title 5, United States Code; hire of pas-
- 11 senger motor vehicles; uniforms or allowances therefor, as
- 12 authorized by sections 5901 and 5902 of title 5, United
- 13 States Code; rental of conference rooms in the District of
- 14 Columbia; and reimbursement of the Department of
- 15 Homeland Security for security guard services;
- 16 \$329,540,000: Provided, That not to exceed \$8,280 is for
- 17 official reception and representation expenses: *Provided*
- 18 further, That contracts may be entered into under this
- 19 heading in fiscal year 2019 for maintenance and operation
- 20 of facilities and for other services to be provided during
- 21 the next fiscal year.
- 22 OFFICE OF THE NATIONAL SCIENCE BOARD
- For necessary expenses (including payment of sala-
- 24 ries, authorized travel, hire of passenger motor vehicles,
- 25 the rental of conference rooms in the District of Columbia,



1 and the employment of experts and consulta	nus un	uer sec-
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- 2 tion 3109 of title 5, United States Code) involved in car-
- 3 rying out section 4 of the National Science Foundation
- 4 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
- 5 (42 U.S.C. 1880 et seq.), \$4,370,000: Provided, That not
- 6 to exceed \$2,500 shall be available for official reception
- 7 and representation expenses.
- 8 OFFICE OF INSPECTOR GENERAL
- 9 For necessary expenses of the Office of Inspector
- 10 General as authorized by the Inspector General Act of
- 11 1978, \$15,350,000, of which \$400,000 shall remain avail-
- 12 able until September 30, 2020.
- 13 ADMINISTRATIVE PROVISIONS
- 14 (INCLUDING TRANSFER OF FUNDS)
- Not to exceed 5 percent of any appropriation made
- 16 available for the current fiscal year for the National
- 17 Science Foundation in this Act may be transferred be-
- 18 tween such appropriations, but no such appropriation shall
- 19 be increased by more than 10 percent by any such trans-
- 20 fers. Any transfer pursuant to this paragraph shall be
- 21 treated as a reprogramming of funds under section 505
- 22 of this Act and shall not be available for obligation except
- 23 in compliance with the procedures set forth in that section.
- 24 The Director of the National Science Foundation
- 25 (NSF) shall notify the Committees on Appropriations of



- 1 the House of Representatives and the Senate at least 30
- 2 days in advance of any planned divestment through trans-
- 3 fer, decommissioning, termination, or deconstruction of
- 4 any NSF-owned facilities or any NSF capital assets (in-
- 5 cluding land, structures, and equipment) valued greater
- 6 than \$2,500,000.
- 7 This title may be cited as the "Science Appropria-
- 8 tions Act, 2019".



1	TITLE IV
2	RELATED AGENCIES
3	COMMISSION ON CIVIL RIGHTS
4	SALARIES AND EXPENSES
5	For necessary expenses of the Commission on Civil
6	Rights, including hire of passenger motor vehicles,
7	\$10,065,000: Provided, That none of the funds appro-
8	priated in this paragraph may be used to employ any indi-
9	viduals under Schedule C of subpart C of part 213 of title
10	5 of the Code of Federal Regulations exclusive of one spe-
11	cial assistant for each Commissioner: Provided further
12	That none of the funds appropriated in this paragraph
13	shall be used to reimburse Commissioners for more than
14	75 billable days, with the exception of the chairperson
15	who is permitted 125 billable days: Provided further, That
16	none of the funds appropriated in this paragraph shall be
17	used for any activity or expense that is not explicitly au-
18	thorized by section 3 of the Civil Rights Commission Act
19	of 1983 (42 U.S.C. 1975a).
20	EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
21	SALARIES AND EXPENSES
22	For necessary expenses of the Equal Employment
23	Opportunity Commission as authorized by title VII of the
24	Civil Rights Act of 1964, the Age Discrimination in Em-
25	ployment Act of 1967, the Equal Pay Act of 1963, the



- 1 Americans with Disabilities Act of 1990, section 501 of
- 2 the Rehabilitation Act of 1973, the Civil Rights Act of
- 3 1991, the Genetic Information Nondiscrimination Act
- 4 (GINA) of 2008 (Public Law 110–233), the ADA Amend-
- 5 ments Act of 2008 (Public Law 110–325), and the Lilly
- 6 Ledbetter Fair Pay Act of 2009 (Public Law 111-2), in-
- 7 cluding services as authorized by section 3109 of title 5,
- 8 United States Code; hire of passenger motor vehicles as
- 9 authorized by section 1343(b) of title 31, United States
- 10 Code; nonmonetary awards to private citizens; and up to
- 11 \$29,500,000 for payments to State and local enforcement
- 12 agencies for authorized services to the Commission,
- 13 \$379,500,000: Provided, That the Commission is author-
- 14 ized to make available for official reception and represen-
- 15 tation expenses not to exceed \$2,250 from available funds:
- 16 Provided further, That the Commission may take no action
- 17 to implement any workforce repositioning, restructuring,
- 18 or reorganization until such time as the Committees on
- 19 Appropriations of the House of Representatives and the
- 20 Senate have been notified of such proposals, in accordance
- 21 with the reprogramming requirements of section 505 of
- 22 this Act: Provided further, That the Chair is authorized
- 23 to accept and use any gift or donation to carry out the
- 24 work of the Commission.



1	International Trade Commission
2	SALARIES AND EXPENSES
3	For necessary expenses of the International Trade
4	Commission, including hire of passenger motor vehicles
5	and services as authorized by section 3109 of title 5,
6	United States Code, and not to exceed \$2,250 for official
7	reception and representation expenses, \$95,000,000, to re-
8	main available until expended.
9	LEGAL SERVICES CORPORATION
10	PAYMENT TO THE LEGAL SERVICES CORPORATION
11	For payment to the Legal Services Corporation to
12	carry out the purposes of the Legal Services Corporation
13	Act of 1974, $$415,000,000$, of which $$380,500,000$ is for
14	basic field programs and required independent audits;
15	$\$5,\!100,\!000$ is for the Office of Inspector General, of which
16	such amounts as may be necessary may be used to conduct
17	additional audits of recipients; $\$19,400,000$ is for manage-
18	ment and grants oversight; \$4,000,000 is for client self-
19	help and information technology; \$4,500,000 is for a Pro
20	Bono Innovation Fund; and \$1,500,000 is for loan repay-
21	ment assistance: Provided, That the Legal Services Cor-
22	poration may continue to provide locality pay to officers
23	and employees at a rate no greater than that provided by
24	the Federal Government to Washington, DC-based em-
25	ployees as authorized by section 5304 of title 5, United



1	States Code, notwithstanding section 1005(d) of the Legal
2	Services Corporation Act (42 U.S.C. 2996d(d)): Provided
3	further, That the authorities provided in section 205 of
4	this Act shall be applicable to the Legal Services Corpora-
5	tion: Provided further, That, for the purposes of section
6	505 of this Act, the Legal Services Corporation shall be
7	considered an agency of the United States Government.
8	ADMINISTRATIVE PROVISION—LEGAL SERVICES
9	CORPORATION
10	None of the funds appropriated in this Act to the
11	Legal Services Corporation shall be expended for any pur-
12	pose prohibited or limited by, or contrary to any of the
13	provisions of, sections 501, 502, 503, 504, 505, and 506
14	of Public Law 105–119, and all funds appropriated in this
15	Act to the Legal Services Corporation shall be subject to
16	the same terms and conditions set forth in such sections,
17	except that all references in sections 502 and 503 to 1997
18	and 1998 shall be deemed to refer instead to 2018 and
19	2019, respectively.
20	MARINE MAMMAL COMMISSION
21	SALARIES AND EXPENSES
22	For necessary expenses of the Marine Mammal Com-
23	mission as authorized by title II of the Marine Mammal
24	Protection Act of 1972 (16 U.S.C. 1361 et seq.),
25	\$3,516,000.



1	OFFICE OF THE UNITED STATES TRADE
2	Representative
3	SALARIES AND EXPENSES
4	For necessary expenses of the Office of the United
5	States Trade Representative, including the hire of pas-
6	senger motor vehicles and the employment of experts and
7	consultants as authorized by section 3109 of title 5,
8	United States Code, \$53,000,000, of which \$1,000,000
9	shall remain available until expended: Provided, That of
10	the total amount made available under this heading, not
11	to exceed \$124,000 shall be available for official reception
12	and representation expenses.
13	TRADE ENFORCEMENT TRUST FUND
14	(INCLUDING TRANSFER OF FUNDS)
15	For activities of the United States Trade Representa-
16	tive authorized by section 611 of the Trade Facilitation
17	and Trade Enforcement Act of 2015 (19 U.S.C. 4405),
18	including transfers, \$15,000,000, to be derived from the
19	Trade Enforcement Trust Fund: Provided, That any
20	transfer pursuant to subsection $(d)(1)$ of such section shall
21	be treated as a reprogramming under section 505 of this
22	Act.



1	STATE JUSTICE INSTITUTE
2	SALARIES AND EXPENSES
3	For necessary expenses of the State Justice Institute,
4	as authorized by the State Justice Institute Act of 1984
5	(42 U.S.C. 10701 et seq.) \$5,971,000, of which \$500,000
6	shall remain available until September 30, 2020: Provided,
7	That not to exceed \$2,250 shall be available for official
8	reception and representation expenses: Provided further,
9	That, for the purposes of section 505 of this Act, the State
10	Justice Institute shall be considered an agency of the
11	United States Government.



1	TITLE V
2	GENERAL PROVISIONS
3	(INCLUDING RESCISSIONS)
4	(INCLUDING TRANSFER OF FUNDS)
5	Sec. 501. No part of any appropriation contained in
6	this Act shall be used for publicity or propaganda purposes
7	not authorized by the Congress.
8	Sec. 502. No part of any appropriation contained in
9	this Act shall remain available for obligation beyond the
10	current fiscal year unless expressly so provided herein.
11	Sec. 503. The expenditure of any appropriation
12	under this Act for any consulting service through procure-
13	ment contract, pursuant to section 3109 of title 5, United
14	States Code, shall be limited to those contracts where such
15	expenditures are a matter of public record and available
16	for public inspection, except where otherwise provided
17	under existing law, or under existing Executive order
18	issued pursuant to existing law.
19	Sec. 504. If any provision of this Act or the applica-
20	tion of such provision to any person or circumstances shall
21	be held invalid, the remainder of the Act and the applica-
22	tion of each provision to persons or circumstances other
23	than those as to which it is held invalid shall not be af-
24	fected thereby.



1	Sec. 505. None of the funds provided under this Act,
2	or provided under previous appropriations Acts to the
3	agencies funded by this Act that remain available for obli-
4	gation or expenditure in fiscal year 2019, or provided from
5	any accounts in the Treasury of the United States derived
6	by the collection of fees available to the agencies funded
7	by this Act, shall be available for obligation or expenditure
8	through a reprogramming of funds that: (1) creates or ini-
9	tiates a new program, project or activity; (2) eliminates
10	a program, project or activity; (3) increases funds or per-
11	sonnel by any means for any project or activity for which
12	funds have been denied or restricted; (4) relocates an of-
13	fice or employees; (5) reorganizes or renames offices, pro-
14	grams or activities; (6) contracts out or privatizes any
15	functions or activities presently performed by Federal em-
16	ployees; (7) augments existing programs, projects or ac-
17	tivities in excess of \$500,000 or 10 percent, whichever is
18	less, or reduces by 10 percent funding for any program,
19	project or activity, or numbers of personnel by 10 percent;
20	or (8) results from any general savings, including savings
21	from a reduction in personnel, which would result in a
22	change in existing programs, projects or activities as ap-
23	proved by Congress; unless the House and Senate Com-
24	mittees on Appropriations are notified 15 days in advance
25	of such reprogramming of funds.



- 1 Sec. 506. (a) If it has been finally determined by
- 2 a court or Federal agency that any person intentionally
- 3 affixed a label bearing a "Made in America" inscription,
- 4 or any inscription with the same meaning, to any product
- 5 sold in or shipped to the United States that is not made
- 6 in the United States, the person shall be ineligible to re-
- 7 ceive any contract or subcontract made with funds made
- 8 available in this Act, pursuant to the debarment, suspen-
- 9 sion, and ineligibility procedures described in sections
- 10 9.400 through 9.409 of title 48, Code of Federal Regula-
- 11 tions.
- 12 (b)(1) To the extent practicable, with respect to au-
- 13 thorized purchases of promotional items, funds made
- 14 available by this Act shall be used to purchase items that
- 15 are manufactured, produced, or assembled in the United
- 16 States, its territories or possessions.
- 17 (2) The term "promotional items" has the meaning
- 18 given the term in OMB Circular A-87, Attachment B,
- 19 Item (1)(f)(3).
- Sec. 507. (a) The Departments of Commerce and
- 21 Justice, the National Science Foundation, and the Na-
- 22 tional Aeronautics and Space Administration shall provide
- 23 to the Committees on Appropriations of the House of Rep-
- 24 resentatives and the Senate a quarterly report on the sta-
- 25 tus of balances of appropriations at the account level. For



- 1 unobligated, uncommitted balances and unobligated, com-
- 2 mitted balances the quarterly reports shall separately
- 3 identify the amounts attributable to each source year of
- 4 appropriation from which the balances were derived. For
- 5 balances that are obligated, but unexpended, the quarterly
- 6 reports shall separately identify amounts by the year of
- 7 obligation.
- 8 (b) The report described in subsection (a) shall be
- 9 submitted within 30 days of the end of each quarter.
- 10 (c) If a department or agency is unable to fulfill any
- 11 aspect of a reporting requirement described in subsection
- 12 (a) due to a limitation of a current accounting system,
- 13 the department or agency shall fulfill such aspect to the
- 14 maximum extent practicable under such accounting sys-
- 15 tem and shall identify and describe in each quarterly re-
- 16 port the extent to which such aspect is not fulfilled.
- 17 Sec. 508. Any costs incurred by a department or
- 18 agency funded under this Act resulting from, or to pre-
- 19 vent, personnel actions taken in response to funding re-
- 20 ductions included in this Act shall be absorbed within the
- 21 total budgetary resources available to such department or
- 22 agency: Provided, That the authority to transfer funds be-
- 23 tween appropriations accounts as may be necessary to
- 24 carry out this section is provided in addition to authorities
- 25 included elsewhere in this Act: Provided further, That use



- 1 of funds to carry out this section shall be treated as a
- 2 reprogramming of funds under section 505 of this Act and
- 3 shall not be available for obligation or expenditure except
- 4 in compliance with the procedures set forth in that section:
- 5 Provided further, That for the Department of Commerce,
- 6 this section shall also apply to actions taken for the care
- 7 and protection of loan collateral or grant property.
- 8 Sec. 509. None of the funds provided by this Act
- 9 shall be available to promote the sale or export of tobacco
- 10 or tobacco products, or to seek the reduction or removal
- 11 by any foreign country of restrictions on the marketing
- 12 of tobacco or tobacco products, except for restrictions
- 13 which are not applied equally to all tobacco or tobacco
- 14 products of the same type.
- 15 Sec. 510. Notwithstanding any other provision of
- 16 law, amounts deposited or available in the Fund estab-
- 17 lished by section 1402 of chapter XIV of title II of Public
- 18 Law 98-473 (34 U.S.C. 20101) in any fiscal year in ex-
- 19 cess of \$3,353,000,000 shall not be available for obligation
- 20 until the following fiscal year: Provided, That notwith-
- 21 standing section 1402(d) of such Act, of the amounts
- 22 available from the Fund for obligation: (1) \$10,000,000
- 23 shall remain available until expended to the Department
- 24 of Justice Office of Inspector General for oversight and
- 25 auditing purposes; and (2) 5 percent shall be available to



- 1 the Office for Victims of Crime for grants, consistent with
- 2 the requirements of the Victims of Crime Act, to Indian
- 3 tribes to improve services for victims of crime.
- 4 Sec. 511. None of the funds made available to the
- 5 Department of Justice in this Act may be used to discrimi-
- 6 nate against or denigrate the religious or moral beliefs of
- 7 students who participate in programs for which financial
- 8 assistance is provided from those funds, or of the parents
- 9 or legal guardians of such students.
- 10 Sec. 512. None of the funds made available in this
- 11 Act may be transferred to any department, agency, or in-
- 12 strumentality of the United States Government, except
- 13 pursuant to a transfer made by, or transfer authority pro-
- 14 vided in, this Act or any other appropriations Act.
- 15 Sec. 513. (a) The Inspectors General of the Depart-
- 16 ment of Commerce, the Department of Justice, the Na-
- 17 tional Aeronautics and Space Administration, the Na-
- 18 tional Science Foundation, and the Legal Services Cor-
- 19 poration shall conduct audits, pursuant to the Inspector
- 20 General Act (5 U.S.C. App.), of grants or contracts for
- 21 which funds are appropriated by this Act, and shall submit
- 22 reports to Congress on the progress of such audits, which
- 23 may include preliminary findings and a description of
- 24 areas of particular interest, within 180 days after initi-



- 1 ating such an audit and every 180 days thereafter until
- 2 any such audit is completed.
- 3 (b) Within 60 days after the date on which an audit
- 4 described in subsection (a) by an Inspector General is
- 5 completed, the Secretary, Attorney General, Adminis-
- 6 trator, Director, or President, as appropriate, shall make
- 7 the results of the audit available to the public on the Inter-
- 8 net website maintained by the Department, Administra-
- 9 tion, Foundation, or Corporation, respectively. The results
- 10 shall be made available in redacted form to exclude—
- 11 (1) any matter described in section 552(b) of
- title 5, United States Code; and
- 13 (2) sensitive personal information for any indi-
- vidual, the public access to which could be used to
- 15 commit identity theft or for other inappropriate or
- 16 unlawful purposes.
- 17 (c) Any person awarded a grant or contract funded
- 18 by amounts appropriated by this Act shall submit a state-
- 19 ment to the Secretary of Commerce, the Attorney General,
- 20 the Administrator, Director, or President, as appropriate,
- 21 certifying that no funds derived from the grant or contract
- 22 will be made available through a subcontract or in any
- 23 other manner to another person who has a financial inter-
- 24 est in the person awarded the grant or contract.



1	(d) The provisions of the preceding subsections of
2	this section shall take effect 30 days after the date or
3	which the Director of the Office of Management and
4	Budget, in consultation with the Director of the Office of
5	Government Ethics, determines that a uniform set of rules
6	and requirements, substantially similar to the require-
7	ments in such subsections, consistently apply under the
8	executive branch ethics program to all Federal depart-
9	ments, agencies, and entities.
10	Sec. 514. (a) None of the funds appropriated or oth-
11	erwise made available under this Act may be used by the
12	Departments of Commerce and Justice, the National Aer-
13	onautics and Space Administration, or the National
14	Science Foundation to acquire a high-impact or moderate-
15	impact information system, as defined for security cat-
16	egorization in the National Institute of Standards and
17	Technology's (NIST) Federal Information Processing
18	Standard Publication 199, "Standards for Security Cat-
19	egorization of Federal Information and Information Sys-
20	tems'' unless the agency has—
21	(1) reviewed the supply chain risk for the infor-
22	mation systems against criteria developed by NIST
23	and the Federal Bureau of Investigation (FBI) to
24	inform acquisition decisions for high-impact and



1	moderate-impact information systems within the
2	Federal Government;
3	(2) reviewed the supply chain risk from the pre-
4	sumptive awardee against available and relevant
5	threat information provided by the FBI and other
6	appropriate agencies; and
7	(3) in consultation with the FBI or other ap-
8	propriate Federal entity, conducted an assessment of
9	any risk of cyber-espionage or sabotage associated
10	with the acquisition of such system, including any
11	risk associated with such system being produced,
12	manufactured, or assembled by one or more entities
13	identified by the United States Government as pos-
14	ing a cyber threat, including but not limited to,
15	those that may be owned, directed, or subsidized by
16	the People's Republic of China, the Islamic Republic
17	of Iran, the Democratic People's Republic of Korea,
18	or the Russian Federation.
19	(b) None of the funds appropriated or otherwise
20	made available under this Act may be used to acquire a
21	high-impact or moderate-impact information system re-
22	viewed and assessed under subsection (a) unless the head
23	of the assessing entity described in subsection (a) has—



1	(1) developed, in consultation with NIST, the
2	FBI, and supply chain risk management experts, a
3	mitigation strategy for any identified risks;
4	(2) determined, in consultation with NIST and
5	the FBI, that the acquisition of such system is in
6	the national interest of the United States; and
7	(3) reported that determination to the Commit-
8	tees on Appropriations of the House of Representa-
9	tives and the Senate and the agency Inspector Gen-
10	eral.
11	Sec. 515. None of the funds made available in this
12	Act shall be used in any way whatsoever to support or
13	justify the use of torture by any official or contract em-
14	ployee of the United States Government.
15	Sec. 516. (a) Notwithstanding any other provision
16	of law or treaty, none of the funds appropriated or other-
17	wise made available under this Act or any other Act may
18	be expended or obligated by a department, agency, or in-
19	strumentality of the United States to pay administrative
20	expenses or to compensate an officer or employee of the
21	United States in connection with requiring an export li-
22	cense for the export to Canada of components, parts, ac-
23	cessories or attachments for firearms listed in Category
24	I, section 121.1 of title 22, Code of Federal Regulations
25	(International Trafficking in Arms Regulations (ITAR),



1	part 121, as it existed on April 1, 2005) with a total value
2	not exceeding \$500 wholesale in any transaction, provided
3	that the conditions of subsection (b) of this section are
4	met by the exporting party for such articles.
5	(b) The foregoing exemption from obtaining an ex-
6	port license—
7	(1) does not exempt an exporter from filing any
8	Shipper's Export Declaration or notification letter
9	required by law, or from being otherwise eligible
10	under the laws of the United States to possess, ship,
11	transport, or export the articles enumerated in sub-
12	section (a); and
13	(2) does not permit the export without a license
14	of—
15	(A) fully automatic firearms and compo-
16	nents and parts for such firearms, other than
17	for end use by the Federal Government, or a
18	Provincial or Municipal Government of Canada;
19	(B) barrels, cylinders, receivers (frames) or
20	complete breech mechanisms for any firearm
21	listed in Category I, other than for end use by
22	the Federal Government, or a Provincial or Mu-
23	nicipal Government of Canada; or
24	(C) articles for export from Canada to an-
25	other foreign destination



- 1 (c) In accordance with this section, the District Di-
- 2 rectors of Customs and postmasters shall permit the per-
- 3 manent or temporary export without a license of any un-
- 4 classified articles specified in subsection (a) to Canada for
- 5 end use in Canada or return to the United States, or tem-
- 6 porary import of Canadian-origin items from Canada for
- 7 end use in the United States or return to Canada for a
- 8 Canadian citizen.
- 9 (d) The President may require export licenses under
- 10 this section on a temporary basis if the President deter-
- 11 mines, upon publication first in the Federal Register, that
- 12 the Government of Canada has implemented or main-
- 13 tained inadequate import controls for the articles specified
- 14 in subsection (a), such that a significant diversion of such
- 15 articles has and continues to take place for use in inter-
- 16 national terrorism or in the escalation of a conflict in an-
- 17 other nation. The President shall terminate the require-
- 18 ments of a license when reasons for the temporary require-
- 19 ments have ceased.
- 20 Sec. 517. Notwithstanding any other provision of
- 21 law, no department, agency, or instrumentality of the
- 22 United States receiving appropriated funds under this Act
- 23 or any other Act shall obligate or expend in any way such
- 24 funds to pay administrative expenses or the compensation
- 25 of any officer or employee of the United States to deny



- 1 any application submitted pursuant to 22 U.S.C.
- 2 2778(b)(1)(B) and qualified pursuant to 27 CFR section
- 3 478.112 or .113, for a permit to import United States ori-
- 4 gin "curios or relics" firearms, parts, or ammunition.
- 5 Sec. 518. None of the funds made available in this
- 6 Act may be used to include in any new bilateral or multi-
- 7 lateral trade agreement the text of—
- 8 (1) paragraph 2 of article 16.7 of the United
- 9 States-Singapore Free Trade Agreement;
- 10 (2) paragraph 4 of article 17.9 of the United
- 11 States–Australia Free Trade Agreement; or
- 12 (3) paragraph 4 of article 15.9 of the United
- 13 States–Morocco Free Trade Agreement.
- 14 Sec. 519. None of the funds made available in this
- 15 Act may be used to authorize or issue a national security
- 16 letter in contravention of any of the following laws author-
- 17 izing the Federal Bureau of Investigation to issue national
- 18 security letters: The Right to Financial Privacy Act of
- 19 1978; The Electronic Communications Privacy Act of
- 20 1986; The Fair Credit Reporting Act; The National Secu-
- 21 rity Act of 1947; USA PATRIOT Act; USA FREEDOM
- 22 Act of 2015; and the laws amended by these Acts.
- 23 Sec. 520. If at any time during any quarter, the pro-
- 24 gram manager of a project within the jurisdiction of the
- 25 Departments of Commerce or Justice, the National Aero-



- 1 nautics and Space Administration, or the National Science
- 2 Foundation totaling more than \$75,000,000 has reason-
- 3 able cause to believe that the total program cost has in-
- 4 creased by 10 percent or more, the program manager shall
- 5 immediately inform the respective Secretary, Adminis-
- 6 trator, or Director. The Secretary, Administrator, or Di-
- 7 rector shall notify the House and Senate Committees on
- 8 Appropriations within 30 days in writing of such increase,
- 9 and shall include in such notice: the date on which such
- 10 determination was made; a statement of the reasons for
- 11 such increases; the action taken and proposed to be taken
- 12 to control future cost growth of the project; changes made
- 13 in the performance or schedule milestones and the degree
- 14 to which such changes have contributed to the increase
- 15 in total program costs or procurement costs; new esti-
- 16 mates of the total project or procurement costs; and a
- 17 statement validating that the project's management struc-
- 18 ture is adequate to control total project or procurement
- 19 costs.
- Sec. 521. Funds appropriated by this Act, or made
- 21 available by the transfer of funds in this Act, for intel-
- 22 ligence or intelligence related activities are deemed to be
- 23 specifically authorized by the Congress for purposes of sec-
- 24 tion 504 of the National Security Act of 1947 (50 U.S.C.



- 1 3094) during fiscal year 2019 until the enactment of the
- 2 Intelligence Authorization Act for fiscal year 2019.
- 3 Sec. 522. None of the funds appropriated or other-
- 4 wise made available by this Act may be used to enter into
- 5 a contract in an amount greater than \$5,000,000 or to
- 6 award a grant in excess of such amount unless the pro-
- 7 spective contractor or grantee certifies in writing to the
- 8 agency awarding the contract or grant that, to the best
- 9 of its knowledge and belief, the contractor or grantee has
- 10 filed all Federal tax returns required during the three
- 11 years preceding the certification, has not been convicted
- 12 of a criminal offense under the Internal Revenue Code of
- 13 1986, and has not, more than 90 days prior to certifi-
- 14 cation, been notified of any unpaid Federal tax assessment
- 15 for which the liability remains unsatisfied, unless the as-
- 16 sessment is the subject of an installment agreement or
- 17 offer in compromise that has been approved by the Inter-
- 18 nal Revenue Service and is not in default, or the assess-
- 19 ment is the subject of a non-frivolous administrative or
- 20 judicial proceeding.
- 21 (RESCISSIONS)
- Sec. 523. (a) Of the unobligated balances from prior
- 23 year appropriations available to the Department of Com-
- 24 merce, the following funds are hereby rescinded, not later

1	than September 30, 2019, from the following accounts in
2	the specified amounts—
3	(1) "Economic Development Administration,
4	Economic Development Assistance Programs",
5	\$10,000,000; and
6	(2) "National Institute of Standards and Tech-
7	nology, Industrial Technology Services", \$2,000,000.
8	(b) Of the unobligated balances available to the De-
9	partment of Justice, the following funds are hereby re-
10	scinded, not later than September 30, 2019, from the fol-
11	lowing accounts in the specified amounts—
12	(1) "Working Capital Fund", \$151,000,000;
13	(2) "Federal Bureau of Investigation, Salaries
14	and Expenses", \$124,326,000 including from, but
15	not limited to, fees collected to defray expenses for
16	the automation of fingerprint identification and
17	criminal justice information services and associated
18	costs;
19	(3) "State and Local Law Enforcement Activi-
20	ties, Office on Violence Against Women, Violence
21	Against Women Prevention and Prosecution Pro-
22	grams'', \$10,000,000;
23	(4) "State and Local Law Enforcement Activi-
24	ties, Office of Justice Programs", \$70,000,000;



1	(5) "State and Local Law Enforcement Activi-						
2	ties, Community Oriented Policing Services",						
3	\$16,500,000; and						
4	(6) "Legal Activities, Assets Forfeiture Fund",						
5	\$674,000,000, is permanently rescinded.						
6	(c) The Departments of Commerce and Justice shall						
7	submit to the Committees on Appropriations of the House						
8	of Representatives and the Senate a report no later than						
9	September 1, 2019, specifying the amount of each rescis						
10	sion made pursuant to subsections (a) and (b).						
11	(d) The amounts rescinded in subsections (a) and (b)						
12	shall not be from amounts that were designated by the						
13	Congress as an emergency or disaster relief requirement						
14	pursuant to the concurrent resolution on the budget or						
15	the Balanced Budget and Emergency Deficit Control Act						
16	of 1985.						
17	Sec. 524. (a) Any unobligated balances identified in						
18	the following Treasury Appropriation Fund Symbols are						
19	hereby permanently cancelled: 80X0114; 80X0111;						
20	80X0110; and 80X0112.						
21	(b) Upon enactment of this Act:						
22	(1) obligated balances in $80X0114$ shall be						
23	transferred to and merged with 80–0130, Construc-						
24	tion and Environmental Compliance and Restora-						



1	tion, and any upward adjustments to such obliga-
2	tions may be made from 80–0130;
3	(2) obligated balances in 80X0111 shall be
4	transferred to and merged with 80–0122, Safety,
5	Security and Mission Services, 80–0115, Space
6	Flight Capabilities and 80-0130, Construction and
7	Environmental Compliance and Restoration, and any
8	upward adjustments to such obligations may be
9	made from $80-0122$, $80-0115$ and $80-0130$;
10	(3) obligated balances in 80X0110 shall be
11	transferred to and merged with 80–0130, Construc-
12	tion and Environmental Compliance and Restora-
13	tion, and any upward adjustments to said obliga-
14	tions may be made from 80-0130; and
15	(4) obligated balances in 80X0112 shall be
16	transferred to and merged with 80-0122, Safety,
17	Security and Mission Services and 80-0130, Con-
18	struction and Environmental Compliance and Res-
19	toration, and any upward adjustments to such obli-
20	gations may be made from 80-0122 and 80-0130.
21	(c) Following the cancellation of unobligated balances
22	and transfer of obligated balances in 80X0114, 80X0111,
23	80X0110 and 80X0112, such accounts shall be closed.
24	Any collections authorized or required to be credited to
25	these accounts that are not received before closing of such



- 1 accounts shall be deposited in the Treasury as miscella-
- 2 neous receipts.
- 3 Sec. 525. None of the funds made available in this
- 4 Act may be used to purchase first class or premium airline
- 5 travel in contravention of sections 301–10.122 through
- 6 301–10.124 of title 41 of the Code of Federal Regulations.
- 7 Sec. 526. None of the funds made available in this
- 8 Act may be used to send or otherwise pay for the attend-
- 9 ance of more than 50 employees from a Federal depart-
- 10 ment or agency, who are stationed in the United States,
- 11 at any single conference occurring outside the United
- 12 States unless such conference is a law enforcement train-
- 13 ing or operational conference for law enforcement per-
- 14 sonnel and the majority of Federal employees in attend-
- 15 ance are law enforcement personnel stationed outside the
- 16 United States.
- 17 Sec. 527. None of the funds appropriated or other-
- 18 wise made available in this or any other Act may be used
- 19 to transfer, release, or assist in the transfer or release to
- 20 or within the United States, its territories, or possessions
- 21 Khalid Sheikh Mohammed or any other detainee who-
- (1) is not a United States citizen or a member
- of the Armed Forces of the United States; and



1	(2) is or was held on or after June 24, 2009,						
2	at the United States Naval Station, Guantanamo						
3	Bay, Cuba, by the Department of Defense.						
4	Sec. 528. (a) None of the funds appropriated or oth-						
5	erwise made available in this or any other Act may be used						
6	to construct, acquire, or modify any facility in the United						
7	States, its territories, or possessions to house any indi						
8	vidual described in subsection (c) for the purposes of de-						
9	tention or imprisonment in the custody or under the effec-						
10	tive control of the Department of Defense.						
11	(b) The prohibition in subsection (a) shall not apply						
12	to any modification of facilities at United States Naval						
13	Station, Guantanamo Bay, Cuba.						
14	(c) An individual described in this subsection is any						
15	individual who, as of June 24, 2009, is located at United						
16	States Naval Station, Guantanamo Bay, Cuba, and who—						
17	(1) is not a citizen of the United States or a						
18	member of the Armed Forces of the United States;						
19	and						
20	(2) is—						
21	(A) in the custody or under the effective						
22	control of the Department of Defense; or						
23	(B) otherwise under detention at United						
24	States Naval Station, Guantanamo Bay, Cuba.						



1	SEC. 529. The Director of the Office of Management
2	and Budget shall instruct any department, agency, or in-
3	strumentality of the United States receiving funds appro-
4	priated under this Act to track undisbursed balances in
5	expired grant accounts and include in its annual perform-
6	ance plan and performance and accountability reports the
7	following:
8	(1) Details on future action the department,
9	agency, or instrumentality will take to resolve
10	undisbursed balances in expired grant accounts.
11	(2) The method that the department, agency, or
12	instrumentality uses to track undisbursed balances
13	in expired grant accounts.
14	(3) Identification of undisbursed balances in ex-
15	pired grant accounts that may be returned to the
16	Treasury of the United States.
17	(4) In the preceding 3 fiscal years, details on
18	the total number of expired grant accounts with
19	undisbursed balances (on the first day of each fiscal
20	year) for the department, agency, or instrumentality
21	and the total finances that have not been obligated
22	to a specific project remaining in the accounts.
23	Sec. 530. (a) None of the funds made available by
24	this Act may be used for the National Aeronautics and
25	Space Administration (NASA), the Office of Science and



- 1 Technology Policy (OSTP), or the National Space Council
- 2 (NSC) to develop, design, plan, promulgate, implement,
- 3 or execute a bilateral policy, program, order, or contract
- 4 of any kind to participate, collaborate, or coordinate bilat-
- 5 erally in any way with China or any Chinese-owned com-
- 6 pany unless such activities are specifically authorized by
- 7 a law enacted after the date of enactment of this Act.
- 8 (b) None of the funds made available by this Act may
- 9 be used to effectuate the hosting of official Chinese visitors
- 10 at facilities belonging to or utilized by NASA.
- 11 (c) The limitations described in subsections (a) and
- 12 (b) shall not apply to activities which NASA, OSTP, or
- 13 NSC, after consultation with the Federal Bureau of Inves-
- 14 tigation, have certified—
- 15 (1) pose no risk of resulting in the transfer of
- technology, data, or other information with national
- 17 security or economic security implications to China
- or a Chinese-owned company; and
- 19 (2) will not involve knowing interactions with
- officials who have been determined by the United
- 21 States to have direct involvement with violations of
- 22 human rights.
- (d) Any certification made under subsection (c) shall
- 24 be submitted to the Committees on Appropriations of the
- 25 House of Representatives and the Senate, and the Federal



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	Bureau	ot	Investigation,	no	later	than	30	davs	prior	to
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- 2 the activity in question and shall include a description of
- 3 the purpose of the activity, its agenda, its major partici-
- 4 pants, and its location and timing.
- 5 Sec. 531. None of the funds made available by this
- 6 Act may be used to pay the salaries or expenses of per-
- 7 sonnel to deny, or fail to act on, an application for the
- 8 importation of any model of shotgun if—
- 9 (1) all other requirements of law with respect to
- the proposed importation are met; and
- 11 (2) no application for the importation of such
- model of shotgun, in the same configuration, had
- been denied by the Attorney General prior to Janu-
- 14 ary 1, 2011, on the basis that the shotgun was not
- particularly suitable for or readily adaptable to
- 16 sporting purposes.
- 17 Sec. 532. (a) None of the funds made available in
- 18 this Act may be used to maintain or establish a computer
- 19 network unless such network blocks the viewing,
- 20 downloading, and exchanging of pornography.
- 21 (b) Nothing in subsection (a) shall limit the use of
- 22 funds necessary for any Federal, State, tribal, or local law
- 23 enforcement agency or any other entity carrying out crimi-
- 24 nal investigations, prosecution, adjudication, or other law
- 25 enforcement- or victim assistance-related activity.



- 1 Sec. 533. The Departments of Commerce and Jus-
- 2 tice, the National Aeronautics and Space Administration,
- 3 the National Science Foundation, the Commission on Civil
- 4 Rights, the Equal Employment Opportunity Commission,
- 5 the International Trade Commission, the Legal Services
- 6 Corporation, the Marine Mammal Commission, the Offices
- 7 of Science and Technology Policy and the United States
- 8 Trade Representative, the National Space Council, and
- 9 the State Justice Institute shall submit spending plans,
- 10 signed by the respective department or agency head, to
- 11 the Committees on Appropriations of the House of Rep-
- 12 resentatives and the Senate within 45 days after the date
- 13 of enactment of this Act.
- 14 Sec. 534. None of the funds made available by this
- 15 Act may be obligated or expended to implement the Arms
- 16 Trade Treaty until the Senate approves a resolution of
- 17 ratification for the Treaty.
- 18 Sec. 535. Notwithstanding any other provision of
- 19 this Act, none of the funds appropriated or otherwise
- 20 made available by this Act may be used to pay award or
- 21 incentive fees for contractor performance that has been
- 22 judged to be below satisfactory performance or for per-
- 23 formance that does not meet the basic requirements of a
- 24 contract.



- 1 Sec. 536. None of the funds made available by this
- 2 Act may be used in contravention of section 7606 ("Legit-
- 3 imacy of Industrial Hemp Research") of the Agricultural
- 4 Act of 2014 (Public Law 113-79) by the Department of
- 5 Justice or the Drug Enforcement Administration.
- 6 Sec. 537. None of the funds made available under
- 7 this Act to the Department of Justice may be used, with
- 8 respect to any of the States of Alabama, Alaska, Arizona,
- 9 Arkansas, California, Colorado, Connecticut, Delaware,
- 10 Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Ken-
- 11 tucky, Louisiana, Maine, Maryland, Massachusetts, Michi-
- 12 gan, Minnesota, Mississippi, Missouri, Montana, Nevada,
- 13 New Hampshire, New Jersey, New Mexico, New York,
- 14 North Carolina, North Dakota, Ohio, Oklahoma, Oregon,
- 15 Pennsylvania, Rhode Island, South Carolina, Tennessee,
- 16 Texas, Utah, Vermont, Virginia, Washington, West Vir-
- 17 ginia, Wisconsin, and Wyoming, or with respect to the
- 18 District of Columbia, Guam, or Puerto Rico, to prevent
- 19 any of them from implementing their own laws that au-
- 20 thorize the use, distribution, possession, or cultivation of
- 21 medical marijuana.
- Sec. 538. The Department of Commerce, the Na-
- 23 tional Aeronautics and Space Administration, and the Na-
- 24 tional Science Foundation shall provide a quarterly report
- 25 to the Committees on Appropriations of the House of Rep-



- 1 resentatives and the Senate on any official travel to China
- 2 by any employee of such Department or agency, including
- 3 the purpose of such travel.
- 4 Sec. 539. Of the amounts made available by this Act,
- 5 not less than 10 percent of each total amount provided,
- 6 respectively, for Public Works grants authorized by the
- 7 Public Works and Economic Development Act of 1965 and
- 8 grants authorized by section 27 of the Stevenson-Wydler
- 9 Technology Innovation Act of 1980 (15 U.S.C. 3722) shall
- 10 be allocated for assistance in persistent poverty counties:
- 11 Provided, That for purposes of this section, the term "per-
- 12 sistent poverty counties" means any county that has had
- 13 20 percent or more of its population living in poverty over
- 14 the past 30 years, as measured by the 1990 and 2000
- 15 decennial censuses and the most recent Small Area In-
- 16 come and Poverty Estimates.
- 17 Sec. 540. None of the funds provided in this Act
- 18 shall be available for obligation for the James Webb Space
- 19 Telescope (JWST) after December 31, 2019, if the indi-
- 20 vidual identified under subsection (c)(2)(E) of section
- 21 30104 of title 51, United States Code, as responsible for
- 22 JWST determines that the formulation and development
- 23 costs (with development cost as defined under section
- 24 30104 of title 51, United States Code) are likely to exceed



- 1 \$8,802,700,000, unless the program is modified so that
- 2 the costs do not exceed \$8,802,700,000.
- 3 Sec. 541. None of the funds made available by this
- 4 Act may be expended during fiscal year 2019 to prepare
- 5 for the shutdown of the Stratospheric Observatory for In-
- 6 frared Astronomy.
- 7 This division may be cited as the "Commerce, Jus-
- 8 tice, Science, and Related Agencies Appropriations Act,
- 9 2019".



1	DIVISION C—FINANCIAL SERVICES AND
2	GENERAL GOVERNMENT APPROPRIA
3	TIONS ACT, 2019
4	TITLE I
5	DEPARTMENT OF THE TREASURY
6	DEPARTMENTAL OFFICES
7	SALARIES AND EXPENSES
8	For necessary expenses of the Departmental Offices
9	including operation and maintenance of the Treasury
10	Building and Freedman's Bank Building; hire of pas
11	senger motor vehicles; maintenance, repairs, and improve
12	ments of, and purchase of commercial insurance policies
13	for, real properties leased or owned overseas, when nec
14	essary for the performance of official business; executive
15	direction program activities; international affairs and eco-
16	nomic policy activities; domestic finance and tax policy ac
17	tivities, including technical assistance to Puerto Rico; and
18	Treasury-wide management policies and programs activi-
19	ties, \$214,576,000: Provided, That of the amount appro-
20	priated under this heading—
21	(1) not to exceed \$700,000 is for official recep-
22	tion and representation expenses, of which necessary
23	amounts shall be available for expenses to support
24	activities of the Financial Action Task Force, and



1	not to exceed \$350,000 shall be for other official re-
2	ception and representation expenses;
3	(2) not to exceed \$258,000 is for unforeseen
4	emergencies of a confidential nature to be allocated
5	and expended under the direction of the Secretary of
6	the Treasury and to be accounted for solely on the
7	Secretary's certificate; and
8	(3) not to exceed \$24,000,000 shall remain
9	available until September 30, 2020, for—
10	(A) the Treasury-wide Financial Statement
11	Audit and Internal Control Program;
12	(B) information technology modernization
13	requirements;
14	(C) the audit, oversight, and administra-
15	tion of the Gulf Coast Restoration Trust Fund;
16	(D) the development and implementation
17	of programs within the Office of Critical Infra-
18	structure Protection and Compliance Policy, in-
19	cluding entering into cooperative agreements;
20	(E) operations and maintenance of facili-
21	ties; and
22	(F) international operations.



1	OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE
2	SALARIES AND EXPENSES
3	For the necessary expenses of the Office of Terrorism
4	and Financial Intelligence to safeguard the financial sys-
5	tem against illicit use and to combat rogue nations, ter-
6	rorist facilitators, weapons of mass destruction
7	proliferators, money launderers, drug kingpins, and other
8	national security threats, $\$159,000,000$: $Provided$, That of
9	the amounts appropriated under this heading, up to
10	\$10,000,000 shall remain available until September 30,
11	2020.
12	CYBERSECURITY ENHANCEMENT ACCOUNT
13	For salaries and expenses for enhanced cybersecurity
14	for systems operated by the Department of the Treasury,
15	\$25,208,000, to remain available until September 30,
16	$2021 \colon Provided,$ That such funds shall supplement and not
17	supplant any other amounts made available to the Treas-
18	ury offices and bureaus for cybersecurity: Provided fur-
19	ther, That the Chief Information Officer of the individual
20	offices and bureaus shall submit a spend plan for each
21	investment to the Treasury Chief Information Officer for
22	approval: Provided further, That the submitted spend plan
23	shall be reviewed and approved by the Treasury Chief In-
24	formation Officer prior to the obligation of funds under
25	this heading: Provided further, That of the total amount



1	made available under this heading \$1,000,000 shall be
2	available for administrative expenses for the Treasury
3	Chief Information Officer to provide oversight of the in-
4	vestments made under this heading: Provided further,
5	That such funds shall supplement and not supplant any
6	other amounts made available to the Treasury Chief Infor-
7	mation Officer.
8	DEPARTMENT-WIDE SYSTEMS AND CAPITAL
9	INVESTMENTS PROGRAMS
10	(INCLUDING TRANSFER OF FUNDS)
11	For development and acquisition of automatic data
12	processing equipment, software, and services and for re-
13	pairs and renovations to buildings owned by the Depart-
14	ment of the Treasury, \$4,000,000, to remain available
15	until September 30, 2021: Provided, That these funds
16	shall be transferred to accounts and in amounts as nec-
17	essary to satisfy the requirements of the Department's of
18	fices, bureaus, and other organizations: Provided further,
19	That this transfer authority shall be in addition to any
20	other transfer authority provided in this Act: Provided fur-
21	ther, That none of the funds appropriated under this head-
22	ing shall be used to support or supplement "Internal Rev-
23	enue Service, Operations Support" or "Internal Revenue
24	Service, Business Systems Modernization".



1	OFFICE OF INSPECTOR GENERAL
2	SALARIES AND EXPENSES
3	For necessary expenses of the Office of Inspector
4	General in carrying out the provisions of the Inspector
5	General Act of 1978, \$37,044,000, including hire of pas-
6	senger motor vehicles; of which not to exceed \$100,000
7	shall be available for unforeseen emergencies of a con-
8	fidential nature, to be allocated and expended under the
9	direction of the Inspector General of the Treasury; of
10	which up to \$2,800,000 to remain available until Sep-
11	tember 30, 2020, shall be for audits and investigations
12	conducted pursuant to section 1608 of the Resources and
13	Ecosystems Sustainability, Tourist Opportunities, and Re-
14	vived Economies of the Gulf Coast States Act of $2012\ (33$
15	U.S.C. 1321 note); and of which not to exceed \$1,000
16	shall be available for official reception and representation
17	expenses.
18	TREASURY INSPECTOR GENERAL FOR TAX
19	ADMINISTRATION
20	SALARIES AND EXPENSES
21	For necessary expenses of the Treasury Inspector
22	General for Tax Administration in carrying out the In-
23	spector General Act of 1978, as amended, including pur-
24	chase and hire of passenger motor vehicles (31 U.S.C.
25	1343(b)); and services authorized by 5 U.S.C. 3109, at



1	such rates as may be determined by the Inspector General
2	for Tax Administration; \$170,250,000, of which
3	\$5,000,000 shall remain available until September 30
4	2020; of which not to exceed \$6,000,000 shall be available
5	for official travel expenses; of which not to exceed
6	\$500,000 shall be available for unforeseen emergencies of
7	a confidential nature, to be allocated and expended under
8	the direction of the Inspector General for Tax Administra-
9	tion; and of which not to exceed \$1,500 shall be available
10	for official reception and representation expenses.
11	SPECIAL INSPECTOR GENERAL FOR THE TROUBLED
12	ASSET RELIEF PROGRAM
13	SALARIES AND EXPENSES
14	For necessary expenses of the Office of the Special
15	Inspector General in carrying out the provisions of the
16	Emergency Economic Stabilization Act of 2008 (Public
17	Law 110–343), \$23,000,000.
18	FINANCIAL CRIMES ENFORCEMENT NETWORK
19	SALARIES AND EXPENSES
20	For necessary expenses of the Financial Crimes En-
21	forcement Network, including hire of passenger motor ve-
22	hicles; travel and training expenses of non-Federal and
23	foreign government personnel to attend meetings and
24	training concerned with domestic and foreign financial in-
25	telligence activities law enforcement and financial regula-



1	tion; services authorized by 5 U.S.C. 3109; not to exceed
2	$\$12,\!000$ for official reception and representation expenses;
3	and for assistance to Federal law enforcement agencies,
4	with or without reimbursement, \$117,800,000, of which
5	not to exceed \$34,335,000 shall remain available until
6	September 30, 2021.
7	BUREAU OF THE FISCAL SERVICE
8	SALARIES AND EXPENSES
9	For necessary expenses of operations of the Bureau
10	of the Fiscal Service, \$338,280,000; of which not to ex-
11	ceed $\$4,210,000$, to remain available until September 30,
12	2021, is for information systems modernization initiatives;
13	and of which $\$5,000$ shall be available for official reception
14	and representation expenses.
15	In addition, \$165,000, to be derived from the Oil
16	Spill Liability Trust Fund to reimburse administrative
17	and personnel expenses for financial management of the
18	Fund, as authorized by section 1012 of Public Law $101-$
19	380.
20	ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
21	SALARIES AND EXPENSES
22	For necessary expenses of carrying out section 1111
23	of the Homeland Security Act of 2002, including hire of
24	passenger motor vehicles, \$119,600,000; of which not to



25 exceed \$6,000 for official reception and representation ex-

1	penses;	and	of	which	not	to	exceed	\$50,000	shall	be avail-
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- 2 able for cooperative research and development programs
- 3 for laboratory services; and provision of laboratory assist-
- 4 ance to State and local agencies with or without reim-
- 5 bursement: Provided, That of the amount appropriated
- 6 under this heading, \$5,000,000 shall be for the costs of
- 7 accelerating the processing of formula and label applica-
- 8 tions: Provided further, That of the amount appropriated
- 9 under this heading, \$5,000,000, to remain available until
- 10 September 30, 2020, shall be for the costs associated with
- 11 enforcement of the trade practice provisions of the Federal
- 12 Alcohol Administration Act (27 U.S.C. 201 et seq.).
- 13 United States Mint
- 14 UNITED STATES MINT PUBLIC ENTERPRISE FUND
- Pursuant to section 5136 of title 31, United States
- 16 Code, the United States Mint is provided funding through
- 17 the United States Mint Public Enterprise Fund for costs
- 18 associated with the production of circulating coins, numis-
- 19 matic coins, and protective services, including both oper-
- 20 ating expenses and capital investments: Provided, That
- 21 the aggregate amount of new liabilities and obligations in-
- 22 curred during fiscal year 2019 under such section 5136
- 23 for circulating coinage and protective service capital in-
- 24 vestments of the United States Mint shall not exceed
- 25 \$30,000,000.



1	Community Development Financial Institutions
2	Fund Program Account
3	To carry out the Riegle Community Development and
4	Regulatory Improvement Act of 1994 (subtitle A of title
5	I of Public Law 103–325), including services authorized
6	by section 3109 of title 5, United States Code, but at rates
7	for individuals not to exceed the per diem rate equivalent
8	to the rate for EX–3, $\$250,000,000$. Of the amount ap-
9	propriated under this heading—
10	(1) not less than \$160,000,000, notwith-
11	standing section $108(e)$ of Public Law $103-325$ (12
12	U.S.C. 4707(e)) with regard to Small and/or Emerg-
13	ing Community Development Financial Institutions
14	Assistance awards, is available until September 30,
15	2020, for financial assistance and technical assist-
16	ance under subparagraphs (A) and (B) of section
17	108(a)(1), respectively, of Public Law $103-325$ (12
18	U.S.C. $4707(a)(1)(A)$ and (B)), of which up to
19	\$1,600,000 may be available for training and out-
20	reach under section 109 of Public Law $103-325$ (12
21	U.S.C. 4708), of which up to \$2,527,250 may be
22	used for the cost of direct loans, and of which up
23	to \$3,000,000, notwithstanding subsection (d) of
24	section 108 of Public Law 103–325 (12 U.S.C. 4707
25	(d)), may be available to provide financial assistance,



1	technical assistance, training, and outreach to com-
2	munity development financial institutions to expand
3	investments that benefit individuals with disabilities:
4	Provided, That the cost of direct and guaranteed
5	loans, including the cost of modifying such loans,
6	shall be as defined in section 502 of the Congres-
7	sional Budget Act of 1974: Provided further, That
8	these funds are available to subsidize gross obliga-
9	tions for the principal amount of direct loans not to
10	exceed \$25,000,000;
11	(2) not less than \$16,000,000, notwithstanding
12	section 108(e) of Public Law 103–325 (12 U.S.C.
13	4707(e)), is available until September 30, 2020, for
14	financial assistance, technical assistance, training,
15	and outreach programs designed to benefit Native
16	American, Native Hawaiian, and Alaska Native com-
17	munities and provided primarily through qualified
18	community development lender organizations with
19	experience and expertise in community development
20	banking and lending in Indian country, Native
21	American organizations, tribes and tribal organiza-
22	tions, and other suitable providers;
23	(3) not less than \$25,000,000 is available until
24	September 30, 2020, for the Bank Enterprise Award
25	program;



1	(4) not less than \$22,000,000, notwithstanding
2	subsections (d) and (e) of section 108 of Public Law
3	103–325 (12 U.S.C. 4707(d) and (e)), is available
4	until September 30, 2020, for a Healthy Food Fi-
5	nancing Initiative to provide financial assistance,
6	technical assistance, training, and outreach to com-
7	munity development financial institutions for the
8	purpose of offering affordable financing and tech-
9	nical assistance to expand the availability of healthy
10	food options in distressed communities;
11	(5) up to \$27,000,000 is available until Sep-
12	tember 30, 2019, for administrative expenses, in-
13	cluding administration of CDFI fund programs and
14	the New Markets Tax Credit Program, of which not
15	less than \$1,000,000 is for development of tools to
16	better assess and inform CDFI investment perform-
17	ance, and up to \$300,000 is for administrative ex-
18	penses to carry out the direct loan program; and
19	(6) during fiscal year 2019, none of the funds
20	available under this heading are available for the
21	cost, as defined in section 502 of the Congressional
22	Budget Act of 1974, of commitments to guarantee
23	bonds and notes under section 114A of the Riegle
24	Community Development and Regulatory Improve-
25	mont Act of 1994 (12 HSC 4712a), Provided



1	That commitments to guarantee bonds and notes
2	under such section 114A shall not exceed
3	\$500,000,000: Provided further, That such section
4	114A shall remain in effect until December 31,
5	2019: Provided further, That of the funds awarded
6	under this heading, not less than 10 percent shall be
7	used for awards that support investments that serve
8	populations living in persistent poverty counties:
9	Provided further, That for the purposes of this para-
10	graph and paragraph (1) above, the term "persistent
11	poverty counties" means any county that has had 20
12	percent or more of its population living in poverty
13	over the past 30 years, as measured by the 1990
14	and 2000 decennial censuses and the 2011–2015 5-
15	year data series available from the American Com-
16	munity Survey of the Census Bureau.
17	INTERNAL REVENUE SERVICE
18	TAXPAYER SERVICES
19	For necessary expenses of the Internal Revenue Serv-
20	ice to provide taxpayer services, including pre-filing assist-
21	ance and education, filing and account services, taxpayer
22	advocacy services, and other services as authorized by 5
23	U.S.C. 3109, at such rates as may be determined by the
24	Commissioner, \$2,491,554,000, of which not less than
25	\$9.890,000 shall be for the Tax Counseling for the Elderly



- 1 Program, of which not less than \$12,000,000 shall be
- 2 available for low-income taxpayer clinic grants, of which
- 3 not less than \$18,000,000, to remain available until Sep-
- 4 tember 30, 2020, shall be available for a Community Vol-
- 5 unteer Income Tax Assistance matching grants program
- 6 for tax return preparation assistance, and of which not
- 7 less than \$207,000,000 shall be available for operating ex-
- 8 penses of the Taxpayer Advocate Service: Provided, That
- 9 of the amounts made available for the Taxpayer Advocate
- 10 Service, not less than \$5,500,000 shall be for identity
- 11 theft and refund fraud casework.
- 12 ENFORCEMENT
- For necessary expenses for tax enforcement activities
- 14 of the Internal Revenue Service to determine and collect
- 15 owed taxes, to provide legal and litigation support, to con-
- 16 duct criminal investigations, to enforce criminal statutes
- 17 related to violations of internal revenue laws and other fi-
- 18 nancial crimes, to purchase and hire passenger motor vehi-
- 19 cles (31 U.S.C. 1343(b)), and to provide other services
- 20 as authorized by 5 U.S.C. 3109, at such rates as may be
- 21 determined by the Commissioner, \$4,860,000,000, of
- 22 which not to exceed \$50,000,000 shall remain available
- 23 until September 30, 2020, and of which not less than
- 24 \$60,257,000 shall be for the Interagency Crime and Drug
- 25 Enforcement program.



1	OPERATIONS SUPPORT
2	For necessary expenses of the Internal Revenue Serv-
3	ice to support taxpayer services and enforcement pro-
4	grams, including rent payments; facilities services; print-
5	ing; postage; physical security; headquarters and other
6	IRS-wide administration activities; research and statistics
7	of income; telecommunications; information technology de-
8	velopment, enhancement, operations, maintenance, and se-
9	curity; the hire of passenger motor vehicles (31 U.S.C.
10	1343(b)); the operations of the Internal Revenue Service
11	Oversight Board; and other services as authorized by 5
12	U.S.C. 3109, at such rates as may be determined by the
13	Commissioner; \$3,724,000,000, of which not to exceed
14	\$50,000,000 shall remain available until September 30,
15	2020; of which not to exceed \$10,000,000 shall remain
16	available until expended for acquisition of equipment and
17	construction, repair and renovation of facilities; of which
18	not to exceed $$1,000,000$ shall remain available until Sep-
19	tember 30, 2021, for research; of which not to exceed
20	\$20,000 shall be for official reception and representation
21	expenses: Provided, That not later than 30 days after the
22	end of each quarter, the Internal Revenue Service shall
23	submit a report to the Committees on Appropriations of
24	the House of Representatives and the Senate and the
25	Comptroller General of the United States detailing the



- 1 cost and schedule performance for its major information
- 2 technology investments, including the purpose and life-
- 3 cycle stages of the investments; the reasons for any cost
- 4 and schedule variances; the risks of such investments and
- 5 strategies the Internal Revenue Service is using to miti-
- 6 gate such risks; and the expected developmental mile-
- 7 stones to be achieved and costs to be incurred in the next
- 8 quarter: Provided further, That the Internal Revenue Serv-
- 9 ice shall include, in its budget justification for fiscal year
- 10 2020, a summary of cost and schedule performance infor-
- 11 mation for its major information technology systems.
- 12 BUSINESS SYSTEMS MODERNIZATION
- For necessary expenses of the Internal Revenue Serv-
- 14 ice's business systems modernization program,
- 15 \$150,000,000, to remain available until September 30,
- 16 2021, for the capital asset acquisition of information tech-
- 17 nology systems, including management and related con-
- 18 tractual costs of said acquisitions, including related Inter-
- 19 nal Revenue Service labor costs, and contractual costs as-
- 20 sociated with operations authorized by 5 U.S.C. 3109:
- 21 Provided, That not later than 30 days after the end of
- 22 each quarter, the Internal Revenue Service shall submit
- 23 a report to the Committees on Appropriations of the
- 24 House of Representatives and the Senate and the Comp-
- 25 troller General of the United States detailing the cost and



1	schedule	performance	for	major	information	technolog	y in-
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- 2 vestments, including the purposes and life-cycle stages of
- 3 the investments; the reasons for any cost and schedule
- 4 variances; the risks of such investments and the strategies
- 5 the Internal Revenue Service is using to mitigate such
- 6 risks; and the expected developmental milestones to be
- 7 achieved and costs to be incurred in the next quarter.
- 8 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE
- 9 SERVICE
- 10 (INCLUDING TRANSFERS OF FUNDS)
- 11 Sec. 101. Not to exceed 4 percent of the appropria-
- 12 tion made available in this Act to the Internal Revenue
- 13 Service under the "Enforcement" heading, and not to ex-
- 14 ceed 5 percent of any other appropriation made available
- 15 in this Act to the Internal Revenue Service, may be trans-
- 16 ferred to any other Internal Revenue Service appropria-
- 17 tion upon the advance approval of the Committees on Ap-
- 18 propriations of the House of Representatives and the Sen-
- 19 ate.
- 20 Sec. 102. The Internal Revenue Service shall main-
- 21 tain an employee training program, which shall include the
- 22 following topics: taxpayers' rights, dealing courteously
- 23 with taxpayers, cross-cultural relations, ethics, and the im-
- 24 partial application of tax law.



- 1 Sec. 103. The Internal Revenue Service shall insti-
- 2 tute and enforce policies and procedures that will safe-
- 3 guard the confidentiality of taxpayer information and pro-
- 4 tect taxpayers against identity theft.
- 5 Sec. 104. Funds made available by this or any other
- 6 Act to the Internal Revenue Service shall be available for
- 7 improved facilities and increased staffing to provide suffi-
- 8 cient and effective 1–800 help line service for taxpayers.
- 9 The Commissioner shall continue to make improvements
- 10 to the Internal Revenue Service 1–800 help line service
- 11 a priority and allocate resources necessary to enhance the
- 12 response time to taxpayer communications, particularly
- 13 with regard to victims of tax-related crimes.
- 14 Sec. 105. The Internal Revenue Service shall issue
- 15 a notice of confirmation of any address change relating
- 16 to an employer making employment tax payments, and
- 17 such notice shall be sent to both the employer's former
- 18 and new address and an officer or employee of the Internal
- 19 Revenue Service shall give special consideration to an
- 20 offer-in-compromise from a taxpayer who has been the vic-
- 21 tim of fraud by a third party payroll tax preparer.
- Sec. 106. None of the funds made available under
- 23 this Act may be used by the Internal Revenue Service to
- 24 target citizens of the United States for exercising any



	260
1	right guaranteed under the First Amendment to the Con-
2	stitution of the United States.
3	Sec. 107. None of the funds made available in this
4	Act may be used by the Internal Revenue Service to target
5	groups for regulatory scrutiny based on their ideological
6	beliefs.
7	SEC 108 None of funds made available by this Act

- SEC. 108. None of funds made available by this Act
- to the Internal Revenue Service shall be obligated or ex-
- pended on conferences that do not adhere to the proce-
- 10 dures, verification processes, documentation requirements,
- and policies issued by the Chief Financial Officer, Human 11
- Capital Office, and Agency-Wide Shared Services as a re-
- sult of the recommendations in the report published on
- May 31, 2013, by the Treasury Inspector General for Tax
- Administration entitled "Review of the August 2010 Small
- Business/Self-Employed Division's Conference in Ana-
- heim, California" (Reference Number 2013–10–037).
- 18 SEC. 109. None of the funds made available in this
- 19 Act to the Internal Revenue Service may be obligated or
- 20 expended—
- 21 (1) to make a payment to any employee under
- 22 a bonus, award, or recognition program; or 23
- (2) under any hiring or personnel selection 24 process with respect to re-hiring a former employee,
- 25 unless such program or process takes into account



- 1 the conduct and Federal tax compliance of such em-
- 2 ployee or former employee.
- 3 Sec. 110. None of the funds made available by this
- 4 Act may be used in contravention of section 6103 of the
- 5 Internal Revenue Code of 1986 (relating to confidentiality
- 6 and disclosure of returns and return information).
- 7 Sec. 111. Except to the extent provided in section
- 8 6014, 6020, or 6201(d) of the Internal Revenue Code of
- 9 1986, no funds in this or any other Act shall be available
- 10 to the Secretary of the Treasury to provide to any person
- 11 a proposed final return or statement for use by such per-
- 12 son to satisfy a filing or reporting requirement under such
- 13 Code.
- 14 Sec. 112. In addition to the amounts otherwise made
- 15 available in this Act for the Internal Revenue Service,
- 16 \$77,000,000, to be available until September 30, 2020,
- 17 shall be transferred by the Commissioner to the "Tax-
- 18 payer Services", "Enforcement", or "Operations Support"
- 19 accounts of the Internal Revenue Service for an additional
- 20 amount to be used solely for carrying out Public Law 115-
- 21 97: Provided, That such funds shall not be available until
- 22 the Commissioner submits to the Committees on Appro-
- 23 priations of the House of Representatives and the Senate
- 24 a spending plan for such funds.



1	ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
2	TREASURY
3	(INCLUDING TRANSFERS OF FUNDS)
4	Sec. 113. Appropriations to the Department of the
5	Treasury in this Act shall be available for uniforms or al-
6	low ances therefor, as authorized by law (5 U.S.C. 5901), $$
7	including maintenance, repairs, and cleaning; purchase of
8	insurance for official motor vehicles operated in foreign
9	countries; purchase of motor vehicles without regard to the
10	general purchase price limitations for vehicles purchased
11	and used overseas for the current fiscal year; entering into
12	contracts with the Department of State for the furnishing
13	of health and medical services to employees and their de-
14	pendents serving in foreign countries; and services author-
15	ized by 5 U.S.C. 3109.
16	Sec. 114. Not to exceed 2 percent of any appropria-
17	tions in this title made available under the headings "De-
18	partmental Offices—Salaries and Expenses", "Office of
19	Inspector General", "Special Inspector General for the
20	Troubled Asset Relief Program", "Financial Crimes En-
21	forcement Network", "Bureau of the Fiscal Service", and
22	"Alcohol and Tobacco Tax and Trade Bureau" may be
23	transferred between such appropriations upon the advance
24	approval of the Committees on Appropriations of the
25	House of Representatives and the Senate: Provided, That



- 1 no transfer under this section may increase or decrease
- 2 any such appropriation by more than 2 percent.
- 3 Sec. 115. Not to exceed 2 percent of any appropria-
- 4 tion made available in this Act to the Internal Revenue
- 5 Service may be transferred to the Treasury Inspector Gen-
- 6 eral for Tax Administration's appropriation upon the ad-
- 7 vance approval of the Committees on Appropriations of
- 8 the House of Representatives and the Senate: Provided,
- 9 That no transfer may increase or decrease any such appro-
- 10 priation by more than 2 percent.
- 11 Sec. 116. None of the funds appropriated in this Act
- 12 or otherwise available to the Department of the Treasury
- 13 or the Bureau of Engraving and Printing may be used
- 14 to redesign the \$1 Federal Reserve note.
- 15 Sec. 117. The Secretary of the Treasury may trans-
- 16 fer funds from the "Bureau of the Fiscal Service-Salaries
- 17 and Expenses" to the Debt Collection Fund as necessary
- 18 to cover the costs of debt collection: Provided, That such
- 19 amounts shall be reimbursed to such salaries and expenses
- 20 account from debt collections received in the Debt Collec-
- 21 tion Fund.
- Sec. 118. None of the funds appropriated or other-
- 23 wise made available by this or any other Act may be used
- 24 by the United States Mint to construct or operate any mu-
- 25 seum without the explicit approval of the Committees on



- 1 Appropriations of the House of Representatives and the
- 2 Senate, the House Committee on Financial Services, and
- 3 the Senate Committee on Banking, Housing, and Urban
- 4 Affairs.
- 5 Sec. 119. None of the funds appropriated or other-
- 6 wise made available by this or any other Act or source
- 7 to the Department of the Treasury, the Bureau of Engrav-
- 8 ing and Printing, and the United States Mint, individually
- 9 or collectively, may be used to consolidate any or all func-
- 10 tions of the Bureau of Engraving and Printing and the
- 11 United States Mint without the explicit approval of the
- 12 House Committee on Financial Services; the Senate Com-
- 13 mittee on Banking, Housing, and Urban Affairs; and the
- 14 Committees on Appropriations of the House of Represent-
- 15 atives and the Senate.
- 16 Sec. 120. Funds appropriated by this Act, or made
- 17 available by the transfer of funds in this Act, for the De-
- 18 partment of the Treasury's intelligence or intelligence re-
- 19 lated activities are deemed to be specifically authorized by
- 20 the Congress for purposes of section 504 of the National
- 21 Security Act of 1947 (50 U.S.C. 414) during fiscal year
- 22 2019 until the enactment of the Intelligence Authorization
- 23 Act for Fiscal Year 2019.
- Sec. 121. Not to exceed \$5,000 shall be made avail-
- 25 able from the Bureau of Engraving and Printing's Indus-



- 1 trial Revolving Fund for necessary official reception and
- 2 representation expenses.
- 3 Sec. 122. The Secretary of the Treasury shall submit
- 4 a Capital Investment Plan to the Committees on Appro-
- 5 priations of the Senate and the House of Representatives
- 6 not later than 30 days following the submission of the an-
- 7 nual budget submitted by the President: Provided, That
- 8 such Capital Investment Plan shall include capital invest-
- 9 ment spending from all accounts within the Department
- 10 of the Treasury, including but not limited to the Depart-
- 11 ment-wide Systems and Capital Investment Programs ac-
- 12 count, Treasury Franchise Fund account, and the Treas-
- 13 ury Forfeiture Fund account: Provided further, That such
- 14 Capital Investment Plan shall include expenditures occur-
- 15 ring in previous fiscal years for each capital investment
- 16 project that has not been fully completed.
- 17 Sec. 123. Within 45 days after the date of enactment
- 18 of this Act, the Secretary of the Treasury shall submit
- 19 an itemized report to the Committees on Appropriations
- 20 of the House of Representatives and the Senate on the
- 21 amount of total funds charged to each office by the Fran-
- 22 chise Fund including the amount charged for each service
- 23 provided by the Franchise Fund to each office, a detailed
- 24 description of the services, a detailed explanation of how
- 25 each charge for each service is calculated, and a descrip-



1	tion of the role customers have in governing in the Fran-
2	chise Fund.
3	Sec. 124. During fiscal year 2019—
4	(1) none of the funds made available in this or
5	any other Act may be used by the Department of
6	the Treasury, including the Internal Revenue Serv-
7	ice, to issue, revise, or finalize any regulation, rev-
8	enue ruling, or other guidance not limited to a par-
9	ticular taxpayer relating to the standard which is
10	used to determine whether an organization is oper-
11	ated exclusively for the promotion of social welfare
12	for purposes of section 501(c)(4) of the Internal
13	Revenue Code of 1986 (including the proposed regu-
14	lations published at 78 Fed. Reg. 71535 (November
15	29, 2013)); and
16	(2) the standard and definitions as in effect on
17	January 1, 2010, which are used to make such de-
18	terminations shall apply after the date of the enact-
19	ment of this Act for purposes of determining status
20	under section 501(c)(4) of such Code of organiza-
21	tions created on, before, or after such date.
22	Sec. 125. (a) Not later than 60 days after the end
23	of each quarter, the Office of Financial Stability and the
24	Office of Financial Research shall submit reports on their
25	activities to the Committees on Appropriations of the



1	House of Representatives and the Senate, the Committee
2	on Financial Services of the House of Representatives and
3	the Senate Committee on Banking, Housing, and Urban
4	Affairs.
5	(b) The reports required under subsection (a) shall
6	include—
7	(1) the obligations made during the previous
8	quarter by object class, office, and activity;
9	(2) the estimated obligations for the remainder
10	of the fiscal year by object class, office, and activity;
11	(3) the number of full-time equivalents within
12	each office during the previous quarter;
13	(4) the estimated number of full-time equiva-
14	lents within each office for the remainder of the fis-
15	cal year; and
16	(5) actions taken to achieve the goals, objec-
17	tives, and performance measures of each office.
18	(c) At the request of any such Committees specified
19	in subsection (a), the Office of Financial Stability and the
20	Office of Financial Research shall make officials available
21	to testify on the contents of the reports required under
22	subsection (a).
23	Sec. 126. Amounts made available under the heading
24	"Office of Terrorism and Financial Intelligence" shall be
25	available to reimburse the "Departmental Offices-Sala-



- 1 ries and Expenses" account for expenses incurred in such
- 2 account for reception and representation expenses to sup-
- 3 port activities of the Financial Action Task Force.
- 4 Sec. 127. Beginning in fiscal year 2019 and for each
- 5 fiscal year thereafter, amounts in the Bureau of Engrav-
- 6 ing and Printing Fund may be used for the acquisition
- 7 of necessary land for, and construction of, a replacement
- 8 currency production facility.
- 9 This title may be cited as the "Department of the
- 10 Treasury Appropriations Act, 2019".



1	TITLE II
2	EXECUTIVE OFFICE OF THE PRESIDENT AND
3	FUNDS APPROPRIATED TO THE PRESIDENT
4	THE WHITE HOUSE
5	SALARIES AND EXPENSES
6	For necessary expenses for the White House as au-
7	thorized by law, including not to exceed \$3,850,000 for
8	services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
9	subsistence expenses as authorized by 3 U.S.C. 105, which
10	shall be expended and accounted for as provided in that
11	section; hire of passenger motor vehicles, and travel (not
12	to exceed \$100,000 to be expended and accounted for as
13	provided by 3 U.S.C. 103); and not to exceed \$19,000 for
14	official reception and representation expenses, to be avail-
15	able for allocation within the Executive Office of the Presi-
16	dent; and for necessary expenses of the Office of Policy
17	Development, including services as authorized by 5 U.S.C.
18	3109 and 3 U.S.C. 107, \$55,000,000.
19	EXECUTIVE RESIDENCE AT THE WHITE HOUSE
20	OPERATING EXPENSES
21	For necessary expenses of the Executive Residence
22	at the White House, \$13,081,000, to be expended and ac-
23	counted for as provided by 3 U.S.C. 105, 109, 110, and
24	112–114.



1	REIMBURSABLE EXPENSES
2	For the reimbursable expenses of the Executive Resi-
3	dence at the White House, such sums as may be nec-
4	essary: Provided, That all reimbursable operating expenses
5	of the Executive Residence shall be made in accordance
6	with the provisions of this paragraph: Provided further,
7	That, notwithstanding any other provision of law, such
8	amount for reimbursable operating expenses shall be the
9	exclusive authority of the Executive Residence to incur ob-
10	ligations and to receive offsetting collections, for such ex-
11	penses: Provided further, That the Executive Residence
12	shall require each person sponsoring a reimbursable polit-
13	ical event to pay in advance an amount equal to the esti-
14	mated cost of the event, and all such advance payments
15	shall be credited to this account and remain available until
16	expended: Provided further, That the Executive Residence
17	shall require the national committee of the political party
18	of the President to maintain on deposit \$25,000, to be
19	separately accounted for and available for expenses relat-
20	ing to reimbursable political events sponsored by such
21	committee during such fiscal year: Provided further, That
22	the Executive Residence shall ensure that a written notice
23	of any amount owed for a reimbursable operating expense
24	under this paragraph is submitted to the person owing
25	such amount within 60 days after such expense is in-



1	curred, and that such amount is collected within 30 days
2	after the submission of such notice: Provided further, That
3	the Executive Residence shall charge interest and assess
4	penalties and other charges on any such amount that is
5	not reimbursed within such 30 days, in accordance with
6	the interest and penalty provisions applicable to an out-
7	standing debt on a United States Government claim under
8	31 U.S.C. 3717: Provided further, That each such amount
9	that is reimbursed, and any accompanying interest and
10	charges, shall be deposited in the Treasury as miscella-
11	neous receipts: Provided further, That the Executive Resi-
12	dence shall prepare and submit to the Committees on Ap-
13	propriations, by not later than 90 days after the end of
14	the fiscal year covered by this Act, a report setting forth
15	the reimbursable operating expenses of the Executive Res-
16	idence during the preceding fiscal year, including the total
17	amount of such expenses, the amount of such total that
18	consists of reimbursable official and ceremonial events, the
19	amount of such total that consists of reimbursable political
20	events, and the portion of each such amount that has been
21	reimbursed as of the date of the report: Provided further,
22	That the Executive Residence shall maintain a system for
23	the tracking of expenses related to reimbursable events
24	within the Executive Residence that includes a standard
25	for the classification of any such expense as political or



1	nonpolitical: Provided further, That no provision of this
2	paragraph may be construed to exempt the Executive Res-
3	idence from any other applicable requirement of sub-
4	chapter I or II of chapter 37 of title 31, United States
5	Code.
6	WHITE HOUSE REPAIR AND RESTORATION
7	For the repair, alteration, and improvement of the
8	Executive Residence at the White House pursuant to 3
9	U.S.C. 105(d), \$750,000, to remain available until ex-
10	pended, for required maintenance, resolution of safety and
11	health issues, and continued preventative maintenance.
12	COUNCIL OF ECONOMIC ADVISERS
13	SALARIES AND EXPENSES
14	For necessary expenses of the Council of Economic
15	Advisers in carrying out its functions under the Employ-
15 16	Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,187,000.
16	ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,187,000.
16 17	ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,187,000. NATIONAL SECURITY COUNCIL AND HOMELAND
16 17 18	ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,187,000. NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL
16 17 18 19	ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,187,000. NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL SALARIES AND EXPENSES

1	OFFICE OF ADMINISTRATION
2	SALARIES AND EXPENSES
3	For necessary expenses of the Office of Administra-
4	tion, including services as authorized by 5 U.S.C. 3109
5	and 3 U.S.C. 107, and hire of passenger motor vehicles,
6	\$100,000,000, of which not to exceed \$12,800,000 shall
7	remain available until expended for continued moderniza-
8	tion of information resources within the Executive Office
9	of the President.
10	Office of Management and Budget
11	SALARIES AND EXPENSES
12	For necessary expenses of the Office of Management
13	and Budget, including hire of passenger motor vehicles
14	and services as authorized by 5 U.S.C. 3109, to carry out
15	the provisions of chapter 35 of title 44, United States
16	Code, and to prepare and submit the budget of the United
17	States Government, in accordance with section 1105(a) of
18	title 31, United States Code, \$102,000,000, of which not
19	to exceed \$3,000 shall be available for official representa-
20	tion expenses: Provided, That none of the funds appro-
21	priated in this Act for the Office of Management and
22	Budget may be used for the purpose of reviewing any agri-
23	cultural marketing orders or any activities or regulations
24	under the provisions of the Agricultural Marketing Agree-
25	mont Act of 1937 (7 II S.C. 601 at sog). Provided further



1	That none of the funds made available for the Office of
2	Management and Budget by this Act may be expended for
3	the altering of the transcript of actual testimony of wit-
4	nesses, except for testimony of officials of the Office of
5	Management and Budget, before the Committees on Ap-
6	propriations or their subcommittees: Provided further,
7	That none of the funds made available for the Office of
8	Management and Budget by this Act may be expended for
9	the altering of the annual work plan developed by the
10	Corps of Engineers for submission to the Committees on
11	Appropriations: $Provided\ further,\ That\ of\ the\ funds\ made$
12	available for the Office of Management and Budget by this
13	Act, no less than three full-time equivalent senior staff po-
14	sition shall be dedicated solely to the Office of the Intellec-
15	${\it tual\ Property\ Enforcement\ Coordinator}.\ Provided\ further,$
16	That none of the funds provided in this or prior Acts shall
17	be used, directly or indirectly, by the Office of Manage-
18	ment and Budget, for evaluating or determining if water
19	resource project or study reports submitted by the Chief
20	of Engineers acting through the Secretary of the Army
21	are in compliance with all applicable laws, regulations, and
22	requirements relevant to the Civil Works water resource
23	planning process: Provided further, That the Office of
24	Management and Budget shall have not more than 60
25	days in which to perform budgetary policy reviews of water



1	resource	matters	on	which	the	Chief	of	Engineers	has	re-

- 2 ported: Provided further, That the Director of the Office
- 3 of Management and Budget shall notify the appropriate
- 4 authorizing and appropriating committees when the 60-
- 5 day review is initiated: Provided further, That if water re-
- 6 source reports have not been transmitted to the appro-
- 7 priate authorizing and appropriating committees within
- 8 15 days after the end of the Office of Management and
- 9 Budget review period based on the notification from the
- 10 Director, Congress shall assume Office of Management
- 11 and Budget concurrence with the report and act accord-
- 12 ingly.
- In addition, \$1,000,000 for the Office of Information
- 14 and Regulatory Affairs to hire additional personnel dedi-
- 15 cated to regulatory review and reforms: Provided, That
- 16 these amounts shall be in addition to any other amounts
- 17 available for such purpose: Provided further, That these
- 18 funds may not be used to backfill vacancies.
- 19 OFFICE OF NATIONAL DRUG CONTROL POLICY
- 20 SALARIES AND EXPENSES
- 21 For necessary expenses of the Office of National
- 22 Drug Control Policy; for research activities pursuant to
- 23 the Office of National Drug Control Policy Reauthoriza-
- 24 tion Act of 2006 (Public Law 109-469); not to exceed
- 25 \$10,000 for official reception and representation expenses;



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- 2 of services on matters of mutual interest with nonprofit,
- 3 research, or public organizations or agencies, with or with-
- 4 out reimbursement, \$18,400,000: Provided, That the Of-
- 5 fice is authorized to accept, hold, administer, and utilize
- 6 gifts, both real and personal, public and private, without
- 7 fiscal year limitation, for the purpose of aiding or facili-
- 8 tating the work of the Office.

9 FEDERAL DRUG CONTROL PROGRAMS

- 10 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM
- 11 (INCLUDING TRANSFERS OF FUNDS)
- 12 For necessary expenses of the Office of National
- 13 Drug Control Policy's High Intensity Drug Trafficking
- 14 Areas Program, \$280,000,000, to remain available until
- 15 September 30, 2020, for drug control activities consistent
- 16 with the approved strategy for each of the designated
- 17 High Intensity Drug Trafficking Areas ("HIDTAs"), of
- 18 which not less than 51 percent shall be transferred to
- 19 State and local entities for drug control activities and shall
- 20 be obligated not later than 120 days after enactment of
- 21 this Act: Provided, That up to 49 percent may be trans-
- 22 ferred to Federal agencies and departments in amounts
- 23 determined by the Director of the Office of National Drug
- 24 Control Policy, of which up to \$2,700,000 may be used
- 25 for auditing services and associated activities: Provided



1	further, That, notwithstanding the requirements of Public
2	Law 106–58, any unexpended funds obligated prior to fis-
3	cal year 2017 may be used for any other approved activi-
4	ties of that HIDTA, subject to reprogramming require-
5	ments: Provided further, That each HIDTA designated as
6	of September 30, 2018, shall be funded at not less than
7	the fiscal year 2018 base level, unless the Director submits
8	to the Committees on Appropriations of the House of Rep-
9	resentatives and the Senate justification for changes to
10	those levels based on clearly articulated priorities and pub-
11	lished Office of National Drug Control Policy performance
12	measures of effectiveness: Provided further, That the Di-
13	rector shall notify the Committees on Appropriations of
14	the initial allocation of fiscal year 2019 funding among
15	HIDTAs not later than 45 days after enactment of this
16	Act, and shall notify the Committees of planned uses of
17	discretionary HIDTA funding, as determined in consulta-
18	tion with the HIDTA Directors, not later than 90 days
19	after enactment of this Act: Provided further, That upon
20	a determination that all or part of the funds so transferred
21	from this appropriation are not necessary for the purposes
22	provided herein and upon notification to the Committees
23	on Appropriations of the House of Representatives and the
24	Senate, such amounts may be transferred back to this ap-
25	propriation



1	OTHER FEDERAL DRUG CONTROL PROGRAMS
2	(INCLUDING TRANSFERS OF FUNDS)
3	For other drug control activities authorized by the
4	Office of National Drug Control Policy Reauthorization
5	Act of 2006 (Public Law 109–469), \$118,327,000, to re-
6	main available until expended, which shall be available as
7	follows: \$100,000,000 for the Drug-Free Communities
8	Program, of which \$2,000,000 shall be made available as
9	directed by section 4 of Public Law 107–82, as amended
10	by Public Law 109–469 (21 U.S.C. 1521 note);
11	\$2,000,000 for drug court training and technical assist-
12	ance; $\$9,500,000$ for anti-doping activities; $\$2,577,000$ for
13	the United States membership dues to the World Anti-
14	Doping Agency; and \$1,250,000 shall be made available
15	as directed by section 1105 of Public Law 109–469; and
16	\$3,000,000, to remain available until expended, shall be
17	for activities authorized by section 103 of Public Law
18	114-198: Provided, That amounts made available under
19	this heading may be transferred to other Federal depart-
20	ments and agencies to carry out such activities.
21	Unanticipated Needs
22	For expenses necessary to enable the President to
23	meet unanticipated needs, in furtherance of the national
24	interest, security, or defense which may arise at home or
25	abroad during the current fiscal year, as authorized by



1	3 U.S.C. 108, \$1,000,000, to remain available until Sep-
2	tember 30, 2020.
3	Information Technology Oversight and Reform
4	(INCLUDING TRANSFER OF FUNDS)
5	For necessary expenses for the furtherance of inte-
6	grated, efficient, secure, and effective uses of information
7	technology in the Federal Government, \$28,500,000, to
8	remain available until expended: $Provided$, That the Direc-
9	tor of the Office of Management and Budget may transfer
10	these funds to one or more other agencies to carry out
11	projects to meet these purposes.
12	SPECIAL ASSISTANCE TO THE PRESIDENT
13	SALARIES AND EXPENSES
14	For necessary expenses to enable the Vice President
15	to provide assistance to the President in connection with
16	specially assigned functions; services as authorized by 5
17	$\rm U.S.C.~3109$ and 3 U.S.C. 106, including subsistence ex-
18	penses as authorized by 3 U.S.C. 106, which shall be ex-
19	pended and accounted for as provided in that section; and
20	hire of passenger motor vehicles, \$4,288,000.
21	Official Residence of the Vice President
22	OPERATING EXPENSES
23	(INCLUDING TRANSFER OF FUNDS)
24	For the care, operation, refurnishing, improvement,
25	and to the extent not otherwise provided for, heating and



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1	lighting.	including	electric	power	and	fixtures.	01	the	offi-

- 2 cial residence of the Vice President; the hire of passenger
- 3 motor vehicles; and not to exceed \$90,000 pursuant to 3
- 4 U.S.C. 106(b)(2), \$302,000: Provided, That advances, re-
- 5 payments, or transfers from this appropriation may be
- 6 made to any department or agency for expenses of car-
- 7 rying out such activities.
- 8 Administrative Provisions—Executive Office of
- 9 THE PRESIDENT AND FUNDS APPROPRIATED TO
- 10 THE PRESIDENT
- 11 (INCLUDING TRANSFER OF FUNDS)
- 12 Sec. 201. From funds made available in this Act
- 13 under the headings "The White House", "Executive Resi-
- 14 dence at the White House", "White House Repair and
- 15 Restoration", "Council of Economic Advisers", "National
- 16 Security Council and Homeland Security Council", "Of-
- 17 fice of Administration", "Special Assistance to the Presi-
- 18 dent", and "Official Residence of the Vice President", the
- 19 Director of the Office of Management and Budget (or
- 20 such other officer as the President may designate in writ-
- 21 ing), may, with advance approval of the Committees on
- 22 Appropriations of the House of Representatives and the
- 23 Senate, transfer not to exceed 10 percent of any such ap-
- 24 propriation to any other such appropriation, to be merged
- 25 with and available for the same time and for the same



1	purposes as the appropriation to which transferred: Pro-
2	vided, That the amount of an appropriation shall not be
3	increased by more than 50 percent by such transfers: $Pro-$
4	vided further, That no amount shall be transferred from
5	"Special Assistance to the President" or "Official Resi-
6	dence of the Vice President' without the approval of the
7	Vice President.
8	Sec. 202. (a) During fiscal year 2019, any Executive
9	order or Presidential memorandum issued or revoked by
10	the President shall be accompanied by a written statement
11	from the Director of the Office of Management and Budg-
12	et on the budgetary impact, including costs, benefits, and
13	revenues, of such order or memorandum.
14	(b) Any such statement shall include—
15	(1) a narrative summary of the budgetary im-
16	pact of such order or memorandum on the Federal
17	Government;
18	(2) the impact on mandatory and discretionary
19	obligations and outlays as the result of such order
20	or memorandum, listed by Federal agency, for each
21	year in the 5-fiscal-year period beginning in fiscal
22	year 2019; and
23	(3) the impact on revenues of the Federal Gov-
24	ernment as the result of such order or memorandum



- 1 over the 5-fiscal-year period beginning in fiscal year
- 2 2019.
- 3 (c) If an Executive order or Presidential memo-
- 4 randum is issued during fiscal year 2019 due to a national
- 5 emergency, the Director of the Office of Management and
- 6 Budget may issue the statement required by subsection
- 7 (a) not later than 15 days after the date that such order
- 8 or memorandum is issued.
- 9 (d) The requirement for cost estimates for Presi-
- 10 dential memoranda shall only apply for Presidential
- 11 memoranda estimated to have a regulatory cost in excess
- 12 of \$100,000,000.
- 13 This title may be cited as the "Executive Office of
- 14 the President Appropriations Act, 2019".



1	TITLE III
2	THE JUDICIARY
3	SUPREME COURT OF THE UNITED STATES
4	SALARIES AND EXPENSES
5	For expenses necessary for the operation of the Su-
6	preme Court, as required by law, excluding care of the
7	building and grounds, including hire of passenger motor
8	vehicles as authorized by 31 U.S.C. 1343 and 1344; not
9	to exceed \$10,000 for official reception and representation
10	expenses; and for miscellaneous expenses, to be expended
11	as the Chief Justice may approve, \$84,703,000, of which
12	\$1,500,000 shall remain available until expended.
13	In addition, there are appropriated such sums as may
14	be necessary under current law for the salaries of the chief
15	justice and associate justices of the court.
16	CARE OF THE BUILDING AND GROUNDS
17	For such expenditures as may be necessary to enable
18	the Architect of the Capitol to carry out the duties im-
19	posed upon the Architect by 40 U.S.C. 6111 and 6112,
20	\$15,999,000, to remain available until expended.



1	United States Court of Appeals for the Federal
2	CIRCUIT
3	SALARIES AND EXPENSES
4	For salaries of officers and employees, and for nec-
5	essary expenses of the court, as authorized by law,
6	\$32,016,000.
7	In addition, there are appropriated such sums as may
8	be necessary under current law for the salaries of the chief
9	judge and judges of the court.
10	United States Court of International Trade
11	SALARIES AND EXPENSES
12	For salaries of officers and employees of the court,
13	services, and necessary expenses of the court, as author-
14	ized by law, \$18,882,000.
15	In addition, there are appropriated such sums as may
16	be necessary under current law for the salaries of the chief
17	judge and judges of the court.
18	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
19	Judicial Services
20	SALARIES AND EXPENSES
21	For the salaries of judges of the United States Court
22	of Federal Claims, magistrate judges, and all other offi-
23	cers and employees of the Federal Judiciary not otherwise
24	specifically provided for, necessary expenses of the courts,
25	and the purchase, rental, repair, and cleaning of uniforms



- 1 for Probation and Pretrial Services Office staff, as author-
- 2 ized by law, \$5,144,383,000 (including the purchase of
- 3 firearms and ammunition); of which not to exceed
- 4 \$27,817,000 shall remain available until expended for
- 5 space alteration projects and for furniture and furnishings
- 6 related to new space alteration and construction projects.
- 7 In addition, there are appropriated such sums as may
- 8 be necessary under current law for the salaries of circuit
- 9 and district judges (including judges of the territorial
- 10 courts of the United States), bankruptcy judges, and jus-
- 11 tices and judges retired from office or from regular active
- 12 service.
- 13 In addition, for expenses of the United States Court
- 14 of Federal Claims associated with processing cases under
- 15 the National Childhood Vaccine Injury Act of 1986 (Pub-
- 16 lie Law 99-660), not to exceed \$8,475,000, to be appro-
- 17 priated from the Vaccine Injury Compensation Trust
- 18 Fund.
- 19 DEFENDER SERVICES
- For the operation of Federal Defender organizations;
- 21 the compensation and reimbursement of expenses of attor-
- 22 neys appointed to represent persons under 18 U.S.C.
- 23 3006A and 3599, and for the compensation and reim-
- 24 bursement of expenses of persons furnishing investigative,
- 25 expert, and other services for such representations as au-



- 1 thorized by law; the compensation (in accordance with the
- 2 maximums under 18 U.S.C. 3006A) and reimbursement
- 3 of expenses of attorneys appointed to assist the court in
- 4 criminal cases where the defendant has waived representa-
- 5 tion by counsel; the compensation and reimbursement of
- 6 expenses of attorneys appointed to represent jurors in civil
- 7 actions for the protection of their employment, as author-
- 8 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
- 9 bursement of expenses of attorneys appointed under 18
- 10 U.S.C. 983(b)(1) in connection with certain judicial civil
- 11 forfeiture proceedings; the compensation and reimburse-
- 12 ment of travel expenses of guardians ad litem appointed
- 13 under 18 U.S.C. 4100(b); and for necessary training and
- 14 general administrative expenses, \$1,150,450,000 to re-
- 15 main available until expended.
- 16 FEES OF JURORS AND COMMISSIONERS
- For fees and expenses of jurors as authorized by 28
- 18 U.S.C. 1871 and 1876; compensation of jury commis-
- 19 sioners as authorized by 28 U.S.C. 1863; and compensa-
- 20 tion of commissioners appointed in condemnation cases
- 21 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
- 22 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$49,750,000,
- 23 to remain available until expended: Provided, That the
- 24 compensation of land commissioners shall not exceed the



daily equivalent of the highest rate payable under 5 U.S.C.
5332.
COURT SECURITY
(INCLUDING TRANSFER OF FUNDS)
For necessary expenses, not otherwise provided for,
incident to the provision of protective guard services for
United States courthouses and other facilities housing
Federal court operations, and the procurement, installa-
tion, and maintenance of security systems and equipment
for United States courthouses and other facilities housing
Federal court operations, including building ingress-egress
control, inspection of mail and packages, directed security
patrols, perimeter security, basic security services provided
by the Federal Protective Service, and other similar activi-
ties as authorized by section 1010 of the Judicial Improve-
ment and Access to Justice Act (Public Law 100–702),
\$607,110,000, of which not to exceed \$20,000,000 shall
remain available until expended, to be expended directly
or transferred to the United States Marshals Service,
which shall be responsible for administering the Judicial
Facility Security Program consistent with standards or
guidelines agreed to by the Director of the Administrative
Office of the United States Courts and the Attorney Gen-
eral.



1	Administrative Office of the United States
2	Courts
3	SALARIES AND EXPENSES
4	For necessary expenses of the Administrative Office
5	of the United States Courts as authorized by law, includ-
6	ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7	senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8	advertising and rent in the District of Columbia and else-
9	where, \$92,413,000, of which not to exceed \$8,500 is au-
10	thorized for official reception and representation expenses.
11	Federal Judicial Center
12	SALARIES AND EXPENSES
13	For necessary expenses of the Federal Judicial Cen-
14	ter, as authorized by Public Law 90–219, \$29,819,000;
15	of which \$1,800,000 shall remain available through Sep-
16	tember 30, 2020, to provide education and training to
17	Federal court personnel; and of which not to exceed
18	\$1,500 is authorized for official reception and representa-
19	tion expenses.
20	United States Sentencing Commission
21	SALARIES AND EXPENSES
22	For the salaries and expenses necessary to carry out
23	the provisions of chapter 58 of title 28, United States
24	Code, \$18,953,000, of which not to exceed \$1,000 is au-
25	thorized for official reception and representation expenses.



1	Administrative Provisions—The Judiciary
2	(INCLUDING TRANSFER OF FUNDS)
3	Sec. 301. Appropriations and authorizations made in
4	this title which are available for salaries and expenses shall
5	be available for services as authorized by 5 U.S.C. 3109.
6	Sec. 302. Not to exceed 5 percent of any appropria-
7	tion made available for the current fiscal year for the Judi-
8	ciary in this Act may be transferred between such appro-
9	priations, but no such appropriation, except "Courts of
10	Appeals, District Courts, and Other Judicial Services, De-
11	fender Services" and "Courts of Appeals, District Courts,
12	and Other Judicial Services, Fees of Jurors and Commis-
13	sioners", shall be increased by more than 10 percent by
14	any such transfers: Provided, That any transfer pursuant
15	to this section shall be treated as a reprogramming of
16	funds under sections 604 and 608 of this Act and shall
17	not be available for obligation or expenditure except in
18	compliance with the procedures set forth in section 608.
19	Sec. 303. Notwithstanding any other provision of
20	law, the salaries and expenses appropriation for "Courts
21	of Appeals, District Courts, and Other Judicial Services"
22	shall be available for official reception and representation
23	expenses of the Judicial Conference of the United States:
24	Provided, That such available funds shall not exceed
25	\$11,000 and shall be administered by the Director of the



- 1 Administrative Office of the United States Courts in the
- 2 capacity as Secretary of the Judicial Conference.
- 3 Sec. 304. Section 3315(a) of title 40, United States
- 4 Code, shall be applied by substituting "Federal" for "exec-
- 5 utive" each place it appears.
- 6 Sec. 305. In accordance with 28 U.S.C. 561–569,
- 7 and notwithstanding any other provision of law, the
- 8 United States Marshals Service shall provide, for such
- 9 courthouses as its Director may designate in consultation
- 10 with the Director of the Administrative Office of the
- 11 United States Courts, for purposes of a pilot program, the
- 12 security services that 40 U.S.C. 1315 authorizes the De-
- 13 partment of Homeland Security to provide, except for the
- 14 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
- 15 ing-specific security services at these courthouses, the Di-
- 16 rector of the Administrative Office of the United States
- 17 Courts shall reimburse the United States Marshals Service
- 18 rather than the Department of Homeland Security.
- 19 Sec. 306. (a) Section 203(c) of the Judicial Improve-
- 20 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
- 21 note), is amended in the matter following paragraph 12—
- 22 (1) in the second sentence (relating to the Dis-
- trict of Kansas), by striking "27 years and 6
- 24 months" and inserting "28 years and 6 months";
- 25 and



1	(2) in the sixth sentence (relating to the Dis-
2	trict of Hawaii), by striking "24 years and 6
3	months" and inserting "25 years and 6 months".
4	(b) Section 406 of the Transportation, Treasury,
5	Housing and Urban Development, the Judiciary, the Dis-
6	trict of Columbia, and Independent Agencies Appropria-
7	tions Act, 2006 (Public Law 109–115; 119 Stat. 2470)
8	28 U.S.C. 133 note) is amended in the second sentence
9	(relating to the eastern District of Missouri) by striking
10	"25 years and 6 months" and inserting "26 years and
11	6 months".
12	(c) Section 312(c)(2) of the 21st Century Depart-
13	ment of Justice Appropriations Authorization Act (Public
14	Law 107–273; 28 U.S.C. 133 note), is amended—
15	(1) in the first sentence by striking "16 years"
16	and inserting "17 years";
17	(2) in the second sentence (relating to the cen-
18	tral District of California), by striking "15 years
19	and 6 months" and inserting "16 years and 6
20	months"; and
21	(3) in the third sentence (relating to the west-
22	ern district of North Carolina), by striking "14
23	years" and inserting "15 years".
24	This title may be cited as the "Judiciary Appropria-
25	tions Act, 2019".



1	TITLE IV
2	DISTRICT OF COLUMBIA
3	FEDERAL FUNDS
4	FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT
5	For a Federal payment to the District of Columbia
6	to be deposited into a dedicated account, for a nationwide
7	program to be administered by the Mayor, for District of
8	Columbia resident tuition support, \$40,000,000, to remain
9	available until expended: Provided, That such funds, in-
10	cluding any interest accrued thereon, may be used on be-
11	half of eligible District of Columbia residents to pay an
12	amount based upon the difference between in-State and
13	out-of-State tuition at public institutions of higher edu-
14	cation, or to pay up to \$2,500 each year at eligible private
15	institutions of higher education: Provided further, That the
16	awarding of such funds may be prioritized on the basis
17	of a resident's academic merit, the income and need of
18	eligible students and such other factors as may be author-
19	ized: Provided further, That the District of Columbia gov-
20	ernment shall maintain a dedicated account for the Resi-
21	dent Tuition Support Program that shall consist of the
22	Federal funds appropriated to the Program in this Act
23	and any subsequent appropriations, any unobligated bal-
24	ances from prior fiscal years, and any interest earned in
25	this or any fiscal year: Provided further That the account



- 1 shall be under the control of the District of Columbia
- 2 Chief Financial Officer, who shall use those funds solely
- 3 for the purposes of carrying out the Resident Tuition Sup-
- 4 port Program: Provided further, That the Office of the
- 5 Chief Financial Officer shall provide a quarterly financial
- 6 report to the Committees on Appropriations of the House
- 7 of Representatives and the Senate for these funds show-
- 8 ing, by object class, the expenditures made and the pur-
- 9 pose therefor.
- 10 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
- 11 SECURITY COSTS IN THE DISTRICT OF COLUMBIA
- 12 For a Federal payment of necessary expenses, as de-
- 13 termined by the Mayor of the District of Columbia in writ-
- 14 ten consultation with the elected county or city officials
- 15 of surrounding jurisdictions, \$12,000,000, to remain
- 16 available until expended, for the costs of providing public
- 17 safety at events related to the presence of the National
- 18 Capital in the District of Columbia, including support re-
- 19 quested by the Director of the United States Secret Serv-
- 20 ice in carrying out protective duties under the direction
- 21 of the Secretary of Homeland Security, and for the costs
- 22 of providing support to respond to immediate and specific
- 23 terrorist threats or attacks in the District of Columbia or
- 24 surrounding jurisdictions.



1	FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
2	COURTS
3	For salaries and expenses for the District of Colum-
4	bia Courts, \$258,394,000 to be allocated as follows: for
5	the District of Columbia Court of Appeals, \$14,594,000
6	of which not to exceed \$2,500 is for official reception and
7	representation expenses; for the Superior Court of the
8	District of Columbia, \$124,400,000, of which not to ex-
9	ceed \$2,500 is for official reception and representation ex-
10	penses; for the District of Columbia Court System
11	\$74,400,000, of which not to exceed \$2,500 is for official
12	reception and representation expenses; and \$45,000,000
13	to remain available until September 30, 2020, for capital
14	improvements for District of Columbia courthouse facili-
15	ties: Provided, That funds made available for capital im-
16	provements shall be expended consistent with the District
17	of Columbia Courts master plan study and facilities condi-
18	tion assessment: Provided further, That, in addition to the
19	amounts appropriated herein, fees received by the District
20	of Columbia Courts for administering bar examinations
21	and processing District of Columbia bar admissions may
22	be retained and credited to this appropriation, to remain
23	available until expended, for salaries and expenses associ-
24	ated with such activities, notwithstanding section 450 of
25	the District of Columbia Home Rule Act (D.C. Official



1	Code, sec. 1–204.50): Provided further, That notwith-
2	standing any other provision of law, all amounts under
3	this heading shall be apportioned quarterly by the Office
4	of Management and Budget and obligated and expended
5	in the same manner as funds appropriated for salaries and
6	expenses of other Federal agencies: Provided further, That
7	30 days after providing written notice to the Committees
8	on Appropriations of the House of Representatives and the
9	Senate, the District of Columbia Courts may reallocate
10	not more than \$9,000,000 of the funds provided under
11	this heading among the items and entities funded under
12	this heading: Provided further, That the Joint Committee
13	on Judicial Administration in the District of Columbia
14	may, by regulation, establish a program substantially simi-
15	lar to the program set forth in subchapter II of chapter
16	35 of title 5, United States Code, for employees of the
17	District of Columbia Courts.
18	FEDERAL PAYMENT FOR DEFENDER SERVICES IN
19	DISTRICT OF COLUMBIA COURTS
20	(INCLUDING TRANSFER OF FUNDS)
21	For payments authorized under section 11–2604 and
22	section 11–2605, D.C. Official Code (relating to represen-
23	tation provided under the District of Columbia Criminal
24	Justice Act), payments for counsel appointed in pro-
25	ceedings in the Family Court of the Superior Court of the



1	District of Columbia under chapter 23 of title 16, D.C.
2	Official Code, or pursuant to contractual agreements to
3	provide guardian ad litem representation, training, tech-
4	nical assistance, and such other services as are necessary
5	to improve the quality of guardian ad litem representation,
6	payments for counsel appointed in adoption proceedings
7	under chapter 3 of title 16, D.C. Official Code, and pay-
8	ments authorized under section 21–2060, D.C. Official
9	Code (relating to services provided under the District of
10	Columbia Guardianship, Protective Proceedings, and Du-
11	rable Power of Attorney Act of 1986), \$46,005,000, to
12	remain available until expended: $Provided$, That not more
13	than $$20,000,000$ in unobligated funds provided in this
14	account may be transferred to and merged with funds
15	made available under the heading "Federal Payment to
16	the District of Columbia Courts," to be available for the
17	same period and purposes as funds made available under
18	that heading for capital improvements to District of Co-
19	lumbia courthouse facilities: $Provided\ further,\ That\ funds$
20	provided under this heading shall be administered by the
21	Joint Committee on Judicial Administration in the Dis-
22	trict of Columbia: Provided further, That, notwithstanding
23	any other provision of law, this appropriation shall be ap-
24	portioned quarterly by the Office of Management and
25	Budget and obligated and expended in the same manner



- 1 as funds appropriated for expenses of other Federal agen-
- 2 cies.
- 3 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
- 4 FENDER SUPERVISION AGENCY FOR THE DISTRICT
- 5 of columbia
- 6 For salaries and expenses, including the transfer and
- 7 hire of motor vehicles, of the Court Services and Offender
- 8 Supervision Agency for the District of Columbia, as au-
- 9 thorized by the National Capital Revitalization and Self-
- 10 Government Improvement Act of 1997, \$256,724,000, of
- 11 which not to exceed \$2,000 is for official reception and
- 12 representation expenses related to Community Supervision
- 13 and Pretrial Services Agency programs, and of which not
- 14 to exceed \$25,000 is for dues and assessments relating
- 15 to the implementation of the Court Services and Offender
- 16 Supervision Agency Interstate Supervision Act of 2002:
- 17 Provided, That, of the funds appropriated under this head-
- 18 ing, \$183,166,000 shall be for necessary expenses of Com-
- 19 munity Supervision and Sex Offender Registration, to in-
- 20 clude expenses relating to the supervision of adults subject
- 21 to protection orders or the provision of services for or re-
- 22 lated to such persons, of which \$5,919,000 shall remain
- 23 available until September 30, 2021 for costs associated
- 24 with relocation under a replacement lease for headquarters
- 25 offices, field offices, and related facilities: Provided further,



1	That,	of	the	funds	appropriated	under	this	heading,

- 2 \$73,558,000 shall be available to the Pretrial Services
- 3 Agency, of which \$7,304,000 shall remain available until
- 4 September 30, 2021 for costs associated with relocation
- 5 under a replacement lease for headquarters offices, field
- 6 offices, and related facilities: Provided further, That not-
- 7 withstanding any other provision of law, all amounts
- 8 under this heading shall be apportioned quarterly by the
- 9 Office of Management and Budget and obligated and ex-
- 10 pended in the same manner as funds appropriated for sal-
- 11 aries and expenses of other Federal agencies: Provided fur-
- 12 ther, That amounts under this heading may be used for
- 13 programmatic incentives for defendants to successfully
- 14 complete their terms of supervision.
- 15 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
- 16 PUBLIC DEFENDER SERVICE
- 17 For salaries and expenses, including the transfer and
- 18 hire of motor vehicles, of the District of Columbia Public
- 19 Defender Service, as authorized by the National Capital
- 20 Revitalization and Self-Government Improvement Act of
- 21 1997, \$45,858,000, of which \$4,471,000 shall remain
- 22 available until September 30, 2021 for costs associated
- 23 with relocation under a replacement lease for headquarters
- 24 offices, field offices, and related facilities: Provided, That
- 25 notwithstanding any other provision of law, all amounts



1 ui	ıder	this	heading	shall	be	apportioned	quarterly	by	the
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- 2 Office of Management and Budget and obligated and ex-
- 3 pended in the same manner as funds appropriated for sal-
- 4 aries and expenses of Federal agencies.
- 5 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE
- 6 COORDINATING COUNCIL
- 7 For a Federal payment to the Criminal Justice Co-
- 8 ordinating Council, \$2,150,000, to remain available until
- 9 expended, to support initiatives related to the coordination
- 10 of Federal and local criminal justice resources in the Dis-
- 11 trict of Columbia.
- 12 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS
- 13 For a Federal payment, to remain available until
- 14 September 30, 2020, to the Commission on Judicial Dis-
- 15 abilities and Tenure, \$295,000, and for the Judicial Nomi-
- 16 nation Commission, \$270,000.
- 17 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT
- 18 For a Federal payment for a school improvement pro-
- 19 gram in the District of Columbia, \$52,500,000, to remain
- 20 available until expended, for payments authorized under
- 21 the Scholarships for Opportunity and Results Act (division
- 22 C of Public Law 112–10): Provided, That, to the extent
- 23 that funds are available for opportunity scholarships and
- 24 following the priorities included in section 3006 of such
- 25 Act, the Secretary of Education shall make scholarships



1	available to students eligible under section 3013(3) of such
2	Act (Public Law 112–10; 125 Stat. 211) including stu-
3	dents who were not offered a scholarship during any pre-
4	vious school year: Provided further, That within funds pro-
5	vided for opportunity scholarships up to \$1,200,000 shall
6	be for the activities specified in sections 3007(b) through
7	3007(d) of the Act and up to \$500,000 shall be for the
8	activities specified in section 3009 of the Act.
9	FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA
10	NATIONAL GUARD
11	For a Federal payment to the District of Columbia
12	National Guard, \$435,000, to remain available until ex-
13	pended for the Major General David F. Wherley, Jr. Dis-
14	trict of Columbia National Guard Retention and College
15	Access Program.
16	FEDERAL PAYMENT FOR TESTING AND TREATMENT OF
17	HIV/AIDS
18	For a Federal payment to the District of Columbia
19	for the testing of individuals for, and the treatment of in-
20	dividuals with, human immunodeficiency virus and ac-
21	quired immunodeficiency syndrome in the District of Co-
22	lumbia, \$3,000,000.
23	DISTRICT OF COLUMBIA FUNDS
24	Local funds are appropriated for the District of Co-



25 lumbia for the current fiscal year out of the General Fund

1	of the District of Columbia ("General Fund") for pro-
2	grams and activities set forth under the heading "PART
3	A—SUMMARY OF EXPENSES" and at the rate set forth
4	under such heading, as included in the Fiscal Year 2019
5	Budget Request Act of 2018 submitted to Congress by
6	the District of Columbia, as amended as of the date of
7	enactment of this Act: Provided, That notwithstanding
8	any other provision of law, except as provided in section
9	$450\mathrm{A}$ of the District of Columbia Home Rule Act (section
10	1–204.50a, D.C. Official Code), sections 816 and 817 of
11	the Financial Services and General Government Appro-
12	priations Act, 2009 (secs. 47–369.01 and 47–369.02, D.C.
13	Official Code), and provisions of this Act, the total amount
14	appropriated in this Act for operating expenses for the
15	District of Columbia for fiscal year 2019 under this head-
16	ing shall not exceed the estimates included in the Fiscal
17	Year 2019 Budget Request Act of 2018 submitted to Con-
18	gress by the District of Columbia, as amended as of the
19	date of enactment of this Act or the sum of the total reve-
20	nues of the District of Columbia for such fiscal year: $Pro-$
21	vided further, That the amount appropriated may be in-
22	creased by proceeds of one-time transactions, which are
23	expended for emergency or unanticipated operating or
24	capital needs: $Provided\ further,\ That\ such\ increases\ shall$
25	be approved by enactment of local District law and shall



- 1 comply with all reserve requirements contained in the Dis-
- 2 trict of Columbia Home Rule Act: Provided further, That
- 3 the Chief Financial Officer of the District of Columbia
- 4 shall take such steps as are necessary to assure that the
- 5 District of Columbia meets these requirements, including
- 6 the apportioning by the Chief Financial Officer of the ap-
- 7 propriations and funds made available to the District dur-
- 8 ing fiscal year 2019, except that the Chief Financial Offi-
- 9 cer may not reprogram for operating expenses any funds
- 10 derived from bonds, notes, or other obligations issued for
- 11 capital projects.
- 12 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
- 13 WATER AND SEWER AUTHORITY
- 14 For a Federal payment to the District of Columbia
- 15 Water and Sewer Authority, \$8,000,000, to remain avail-
- 16 able until expended, to continue implementation of the
- 17 Combined Sewer Overflow Long-Term Plan: Provided,
- 18 That the District of Columbia Water and Sewer Authority
- 19 provides a 100 percent match for this payment.
- This title may be cited as the "District of Columbia
- 21 Appropriations Act, 2019".

1	TITLE V
2	INDEPENDENT AGENCIES
3	Administrative Conference of the United States
4	SALARIES AND EXPENSES
5	For necessary expenses of the Administrative Con-
6	ference of the United States, authorized by 5 U.S.C. 591
7	et seq., $\$3,100,000$, to remain available until September
8	30, 2020, of which not to exceed $$1,000$ is for official re-
9	ception and representation expenses.
10	COMMODITY FUTURES TRADING COMMISSION
11	For necessary expenses to carry out the provisions
12	of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
13	cluding the purchase and hire of passenger motor vehicles,
14	and the rental of space (to include multiple year leases),
15	in the District of Columbia and elsewhere, $\$268,\!000,\!000,$
16	including not to exceed $\$3,000$ for official reception and
17	representation expenses, and not to exceed $\$25,\!000$ for the
18	expenses for consultations and meetings hosted by the
19	Commission with foreign governmental and other regu-
20	latory officials, of which not less than $$50,000,000$, to re-
21	main available until September 30, 2020, shall be for the
22	purchase of information technology and of which not less
23	than $\$3,000,000$ shall be for expenses of the Office of the
24	Inspector General: $Provided$, That notwithstanding the
25	limitations in 31 U.S.C. 1553, amounts provided under



1	this heading are available for the liquidation of obligations
2	equal to current year payments on leases entered into
3	prior to the date of enactment of this Act: Provided fur-
4	ther, That for the purpose of recording and liquidating any
5	lease obligations that should have been recorded and liq-
6	uidated against accounts closed pursuant to 31 U.S.C.
7	1552, and consistent with the preceding proviso, such
8	amounts shall be transferred to and recorded in a no-year
9	account in the Treasury, which has been established for
10	the sole purpose of recording adjustments for and liqui-
11	dating such unpaid obligations.
12	CONSUMER PRODUCT SAFETY COMMISSION
13	SALARIES AND EXPENSES
13 14	SALARIES AND EXPENSES For necessary expenses of the Consumer Product
14	For necessary expenses of the Consumer Product
14 15	For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor ve-
14 15 16 17	For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor ve- hicles, services as authorized by 5 U.S.C. 3109, but at
14 15 16 17	For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equiv-
14 15 16 17 18	For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376,
141516171819	For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal offi-
14 15 16 17 18 19 20	For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to
14 15 16 17 18 19 20 21	For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$4,000 for official reception and representation ex-



1	Virginia Graeme Baker Pool and Spa Safety Act (Public
2	Law 110–140; 15 U.S.C. 8004).
3	ADMINISTRATIVE PROVISION—CONSUMER PRODUCT
4	SAFETY COMMISSION
5	Sec. 501. During fiscal year 2019, none of the
6	amounts made available by this Act may be used to final-
7	ize or implement the Safety Standard for Recreational
8	Off-Highway Vehicles published by the Consumer Product
9	Safety Commission in the Federal Register on November
10	19, 2014 (79 Fed. Reg. 68964) until after—
11	(1) the National Academy of Sciences, in con-
12	sultation with the National Highway Traffic Safety
13	Administration and the Department of Defense,
14	completes a study to determine—
15	(A) the technical validity of the lateral sta-
16	bility and vehicle handling requirements pro-
17	posed by such standard for purposes of reduc-
18	ing the risk of Recreational Off-Highway Vehi-
19	cle (referred to in this section as "ROV") roll-
20	overs in the off-road environment, including the
21	repeatability and reproducibility of testing for
22	compliance with such requirements;
23	(B) the number of ROV rollovers that
24	would be prevented if the proposed require-
25	ments were adopted;



1	(C) whether there is a technical basis for
2	the proposal to provide information on a point-
3	of-sale hangtag about a ROV's rollover resist-
4	ance on a progressive scale; and
5	(D) the effect on the utility of ROVs used
6	by the United States military if the proposed
7	requirements were adopted; and
8	(2) a report containing the results of the study
9	completed under paragraph (1) is delivered to—
10	(A) the Committee on Commerce, Science,
11	and Transportation of the Senate;
12	(B) the Committee on Energy and Com-
13	merce of the House of Representatives;
14	(C) the Committee on Appropriations of
15	the Senate; and
16	(D) the Committee on Appropriations of
17	the House of Representatives.
18	ELECTION ASSISTANCE COMMISSION
19	SALARIES AND EXPENSES
20	(INCLUDING TRANSFER OF FUNDS)
21	For necessary expenses to carry out the Help Amer-
22	ica Vote Act of 2002 (Public Law 107–252), \$9,200,000,
23	of which \$1,250,000 shall be transferred to the National
24	Institute of Standards and Technology for election reform



1	activities authorized under the Help America Vote Act of
2	2002.
3	FEDERAL COMMUNICATIONS COMMISSION
4	SALARIES AND EXPENSES
5	For necessary expenses of the Federal Communica-
6	tions Commission, as authorized by law, including uni-
7	forms and allowances therefor, as authorized by 5 U.S.C
8	5901–5902; not to exceed \$4,000 for official reception and
9	representation expenses; purchase and hire of motor vehi-
10	cles; special counsel fees; and services as authorized by
11	5 U.S.C. 3109, \$339,000,000, to remain available until
12	expended: Provided, That \$339,000,000 of offsetting col-
13	lections shall be assessed and collected pursuant to section
14	9 of title I of the Communications Act of 1934, shall be
15	retained and used for necessary expenses and shall remain
16	available until expended: Provided further, That the sum
17	herein appropriated shall be reduced as such offsetting
18	collections are received during fiscal year 2019 so as to
19	result in a final fiscal year 2019 appropriation estimated
20	at \$0: Provided further, That any offsetting collections re-
21	ceived in excess of \$339,000,000 in fiscal year 2019 shall
22	not be available for obligation: Provided further, That re-
23	maining offsetting collections from prior years collected in
24	excess of the amount specified for collection in each such
25	year and otherwise becoming available on October 1, 2018



1	shall not be available for obligation: Provided further,
2	That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds
3	from the use of a competitive bidding system that may
4	be retained and made available for obligation shall not ex-
5	ceed \$130,284,000 for fiscal year 2019: Provided further,
6	That, of the amount appropriated under this heading, not
7	less than \$11,064,000 shall be for the salaries and ex-
8	penses of the Office of Inspector General.
9	ADMINISTRATIVE PROVISION—FEDERAL
10	COMMUNICATIONS COMMISSION
11	Sec. 510. None of the funds appropriated by this Act
12	may be used by the Federal Communications Commission
13	to modify, amend, or change its rules or regulations for
14	universal service support payments to implement the Feb-
15	ruary 27, 2004 recommendations of the Federal-State
16	Joint Board on Universal Service regarding single connec-
17	tion or primary line restrictions on universal service sup-
18	port payments.
19	Federal Deposit Insurance Corporation
20	OFFICE OF THE INSPECTOR GENERAL
21	For necessary expenses of the Office of Inspector
22	General in carrying out the provisions of the Inspector
23	General Act of 1978, \$42,982,000, to be derived from the
24	Deposit Insurance Fund or, only when appropriate, the
25	FSLIC Resolution Fund.



1	Federal Election Commission
2	SALARIES AND EXPENSES
3	For necessary expenses to carry out the provisions
4	of the Federal Election Campaign Act of 1971
5	\$71,250,000, of which not to exceed \$5,000 shall be avail-
6	able for reception and representation expenses.
7	Federal Labor Relations Authority
8	SALARIES AND EXPENSES
9	For necessary expenses to carry out functions of the
10	Federal Labor Relations Authority, pursuant to Reorga-
11	nization Plan Numbered 2 of 1978, and the Civil Service
12	Reform Act of 1978, including services authorized by 5
13	U.S.C. 3109, and including hire of experts and consult-
14	ants, hire of passenger motor vehicles, and including offi-
15	cial reception and representation expenses (not to exceed
16	\$1,500) and rental of conference rooms in the District of
17	Columbia and elsewhere, \$26,200,000: Provided, That
18	public members of the Federal Service Impasses Pane
19	may be paid travel expenses and per diem in lieu of sub-
20	sistence as authorized by law (5 U.S.C. 5703) for persons
21	employed intermittently in the Government service, and
22	compensation as authorized by 5 U.S.C. 3109: Provided
23	further, That, notwithstanding 31 U.S.C. 3302, funds re-
24	ceived from fees charged to non-Federal participants at
25	labor-management relations conferences shall be credited



1	to and merged with this account, to be available without
2	further appropriation for the costs of carrying out these
3	conferences.
4	FEDERAL TRADE COMMISSION
5	SALARIES AND EXPENSES
6	For necessary expenses of the Federal Trade Com-
7	mission, including uniforms or allowances therefor, as au-
8	thorized by 5 U.S.C. 5901–5902; services as authorized
9	by 5 U.S.C. 3109; hire of passenger motor vehicles; and
10	not to exceed \$2,000 for official reception and representa-
11	tion expenses, \$309,700,000, to remain available until ex-
12	pended: $Provided$, That not to exceed \$300,000 shall be
13	available for use to contract with a person or persons for
14	collection services in accordance with the terms of 31
15	U.S.C. 3718: Provided further, That, notwithstanding any
16	other provision of law, not to exceed \$136,000,000 of off-
17	setting collections derived from fees collected for
18	premerger notification filings under the Hart-Scott-Ro-
19	dino Antitrust Improvements Act of 1976 (15 U.S.C.
20	18a), regardless of the year of collection, shall be retained
21	and used for necessary expenses in this appropriation:
22	Provided further, That, notwithstanding any other provi-
23	sion of law, not to exceed \$17,000,000 in offsetting collec-
24	tions derived from fees sufficient to implement and enforce
25	the Telemarketing Sales Rule, promulgated under the



1	Telemarketing and Consumer Fraud and Abuse Preven-
2	tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
3	account, and be retained and used for necessary expenses
4	in this appropriation: Provided further, That the sum here-
5	in appropriated from the general fund shall be reduced
6	as such offsetting collections are received during fiscal
7	year 2019, so as to result in a final fiscal year 2019 appro-
8	priation from the general fund estimated at not more than
9	\$156,700,000: Provided further, That none of the funds
10	made available to the Federal Trade Commission may be
11	used to implement subsection (e)(2)(B) of section 43 of
12	the Federal Deposit Insurance Act (12 U.S.C. 1831t).
13	GENERAL SERVICES ADMINISTRATION
14	REAL PROPERTY ACTIVITIES
15	FEDERAL BUILDINGS FUND
16	LIMITATIONS ON AVAILABILITY OF REVENUE
17	(INCLUDING TRANSFERS OF FUNDS)
18	Amounts in the Fund, including revenues and collec-
19	tions deposited into the Fund, shall be available for nec-
20	essary expenses of real property management and related
21	activities not otherwise provided for, including operation
22	maintenance, and protection of federally owned and leased
23	buildings; rental of buildings in the District of Columbia
24	restoration of leased premises; moving governmental agen-
25	cies (including space adjustments and telecommunications



1	relocation expenses) in connection with the assignment, al-
2	location, and transfer of space; contractual services inci-
3	dent to cleaning or servicing buildings, and moving; repair
4	and alteration of federally owned buildings, including
5	grounds, approaches, and appurtenances; care and safe-
6	guarding of sites; maintenance, preservation, demolition,
7	and equipment; acquisition of buildings and sites by pur-
8	chase, condemnation, or as otherwise authorized by law;
9	acquisition of options to purchase buildings and sites; con-
10	version and extension of federally owned buildings; pre-
11	liminary planning and design of projects by contract or
12	otherwise; construction of new buildings (including equip-
13	ment for such buildings); and payment of principal, inter-
14	est, and any other obligations for public buildings acquired
15	by installment purchase and purchase contract; in the ag-
16	gregate amount of $\$9,285,082,000$, of which—
17	(1) \$958,900,000 shall remain available until
18	expended for construction and acquisition (including
19	funds for sites and expenses, and associated design
20	and construction services) as follows:
21	(A) \$767,900,000 shall be for the Depart-
22	ment of Transportation Lease Purchase Option,
23	Washington District of Columbia



1	(B) $$100,000,000$ shall be for the DHS
2	Consolidation at St. Elizabeths, Washington,
3	District of Columbia;
4	(C) \$91,000,000 shall be for the Calexico
5	West Land Port of Entry, Calexico, California:
6	Provided, That each of the foregoing limits of costs
7	on new construction and acquisition projects may be
8	exceeded to the extent that savings are effected in
9	other such projects, but not to exceed 10 percent of
10	the amounts included in a transmitted prospectus, if
11	required, unless advance approval is obtained from
12	the Committees on Appropriations of a greater
13	amount;
14	(2) \$663,219,000 shall remain available until
15	expended for repairs and alterations, including asso-
16	ciated design and construction services, of which—
17	(A) \$276,837,000 is for Major Repairs and
18	Alterations;
19	(B) \$356,382,000 is for Basic Repairs and
20	Alterations; and
21	(C) \$30,000,000 is for Special Emphasis
22	Programs for Fire and Life Safety:
23	Provided, That funds made available in this or any
24	previous Act in the Federal Buildings Fund for Re-
25	pairs and Alterations shall, for prospectus projects,



1	be limited to the amount identified for each project,
2	except each project in this or any previous Act may
3	be increased by an amount not to exceed 10 percent
4	unless advance approval is obtained from the Com-
5	mittees on Appropriations of a greater amount: Pro-
6	vided further, That additional projects for which
7	prospectuses have been fully approved may be fund-
8	ed under this category only if advance approval is
9	obtained from the Committees on Appropriations:
10	Provided further, That the amounts provided in this
11	or any prior Act for "Repairs and Alterations" may
12	be used to fund costs associated with implementing
13	security improvements to buildings necessary to
14	meet the minimum standards for security in accord-
15	ance with current law and in compliance with the re-
16	programming guidelines of the appropriate Commit-
17	tees of the House and Senate: Provided further, That
18	the difference between the funds appropriated and
19	expended on any projects in this or any prior Act,
20	under the heading "Repairs and Alterations", may
21	be transferred to Basic Repairs and Alterations or
22	used to fund authorized increases in prospectus
23	projects: Provided further, That the amount provided
24	in this or any prior Act for Basic Repairs and Alter-
25	ations may be used to pay claims against the Gov-



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1	ernment arising from any projects under the heading
2	"Repairs and Alterations" or used to fund author-
3	ized increases in prospectus projects;

- (3) \$5,418,845,000 for rental of space to remain available until expended; and
- (4) \$2,244,118,000 for building operations to remain available until expended: Provided. That the total amount of funds made available from this Fund to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by 40 U.S.C. 3307(a), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: Provided further, That amounts necessary to provide reimbursable special services to other agencies under 40 U.S.C. 592(b)(2) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable

1	the United States Secret Service to perform its pro-
2	tective functions pursuant to 18 U.S.C. 3056, shall
3	be available from such revenues and collections: Pro-
4	vided further, That revenues and collections and any
5	other sums accruing to this Fund during fiscal year
6	2019, excluding reimbursements under 40 U.S.C.
7	592(b)(2), in excess of the aggregate new
8	obligational authority authorized for Real Property
9	Activities of the Federal Buildings Fund in this Act
10	shall remain in the Fund and shall not be available
11	for expenditure except as authorized in appropria-
12	tions Acts.
13	GENERAL ACTIVITIES
14	GOVERNMENT-WIDE POLICY
15	For expenses authorized by law, not otherwise pro-
16	vided for, for Government-wide policy and evaluation ac-
17	tivities associated with the management of real and per-
18	sonal property assets and certain administrative services;
19	Government-wide policy support responsibilities relating to
20	acquisition, travel, motor vehicles, information technology
21	management, and related technology activities; and serv-
22	ices as authorized by 5 U.S.C. 3109; $$60,000,000$.
23	OPERATING EXPENSES
24	For expenses authorized by law, not otherwise pro-
25	vided for for Government-wide activities associated with



- 1 utilization and donation of surplus personal property; dis-
- 2 posal of real property; agency-wide policy direction, man-
- 3 agement, and communications; and services as authorized
- 4 by 5 U.S.C. 3109; \$49,440,000, of which \$26,890,000 is
- 5 for Real and Personal Property Management and Dis-
- 6 posal; \$22,550,000 is for the Office of the Administrator,
- 7 of which not to exceed \$7,500 is for official reception and
- 8 representation expenses.
- 9 CIVILIAN BOARD OF CONTRACT APPEALS
- 10 For expenses authorized by law, not otherwise pro-
- 11 vided for, for the activities associated with the Civilian
- 12 Board of Contract Appeals, \$9,301,000.
- 13 OFFICE OF INSPECTOR GENERAL
- 14 For necessary expenses of the Office of Inspector
- 15 General and service authorized by 5 U.S.C. 3109,
- 16 \$65,000,000: Provided, That not to exceed \$50,000 shall
- 17 be available for payment for information and detection of
- 18 fraud against the Government, including payment for re-
- 19 covery of stolen Government property: Provided further,
- 20 That not to exceed \$2,500 shall be available for awards
- 21 to employees of other Federal agencies and private citizens
- 22 in recognition of efforts and initiatives resulting in en-
- 23 hanced Office of Inspector General effectiveness.



1	ALLOWANCES AND OFFICE STAFF FOR FORMER
2	PRESIDENTS
3	For carrying out the provisions of the Act of August
4	25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,
5	\$4,796,000.
6	FEDERAL CITIZEN SERVICES FUND
7	(INCLUDING TRANSFER OF FUNDS)
8	For necessary expenses of the Office of Products and
9	Programs, including services authorized by 40 U.S.C. 323
10	and 44 U.S.C. 3604; and for necessary expenses in sup-
11	port of interagency projects that enable the Federal Gov-
12	ernment to enhance its ability to conduct activities elec-
13	tronically, through the development and implementation of
14	innovative uses of information technology; \$55,000,000, to
15	be deposited into the Federal Citizen Services Fund: $Pro-$
16	vided, That the previous amount may be transferred to
17	Federal agencies to carry out the purpose of the Federal
18	Citizen Services Fund: Provided further, That the appro-
19	priations, revenues, reimbursements, and collections de-
20	posited into the Fund shall be available until expended for
21	necessary expenses of Federal Citizen Services and other
22	activities that enable the Federal Government to enhance
23	its ability to conduct activities electronically in the aggre-
24	gate amount not to exceed \$100,000,000: Provided fur-
25	ther That appropriations revenues reimbursements and



- 1 collections accruing to this Fund during fiscal year 2019
- 2 in excess of such amount shall remain in the Fund and
- 3 shall not be available for expenditure except as authorized
- 4 in appropriations Acts: Provided further, That the transfer
- 5 authorities provided herein shall be in addition to any
- 6 other transfer authority provided in this Act.
- 7 TECHNOLOGY MODERNIZATION FUND
- 8 For the Technology Modernization Fund,
- 9 \$25,000,000, to remain available until expended, for tech-
- 10 nology-related modernization activities.
- 11 ASSET PROCEEDS AND SPACE MANAGEMENT FUND
- 12 For carrying out the purposes of the Federal Assets
- 13 Sale and Transfer Act of 2016 (Public Law 114–287),
- 14 \$25,000,000, to be deposited into the Asset Proceeds and
- 15 Space Management Fund, to remain available until ex-
- 16 pended.
- 17 ENVIRONMENTAL REVIEW IMPROVEMENT FUND
- 18 For necessary expenses of the Environmental Review
- 19 Improvement Fund established pursuant to 42 U.S.C.
- 20 4370m-8(d), \$6,070,000, to remain available until ex-
- 21 pended.

1	ADMINISTRATIVE PROVISIONS—GENERAL SERVICES
2	ADMINISTRATION
3	(INCLUDING TRANSFER OF FUNDS)
4	Sec. 520. Funds available to the General Services
5	Administration shall be available for the hire of passenger
6	motor vehicles.
7	Sec. 521. Funds in the Federal Buildings Fund
8	made available for fiscal year 2019 for Federal Buildings
9	Fund activities may be transferred between such activities
10	only to the extent necessary to meet program require-
11	ments: Provided, That any proposed transfers shall be ap-
12	proved in advance by the Committees on Appropriations
13	of the House of Representatives and the Senate.
14	Sec. 522. Except as otherwise provided in this title,
15	funds made available by this Act shall be used to transmit
16	a fiscal year 2020 request for United States Courthouse
17	construction only if the request: (1) meets the design guide
18	standards for construction as established and approved by
19	the General Services Administration, the Judicial Con-
20	ference of the United States, and the Office of Manage-
21	ment and Budget; (2) reflects the priorities of the Judicial
22	Conference of the United States as set out in its approved
23	Courthouse Project Priorities plan; and (3) includes a
24	standardized courtroom utilization study of each facility
25	to be constructed, replaced, or expanded.



- 1 Sec. 523. None of the funds provided in this Act may
- 2 be used to increase the amount of occupiable square feet,
- 3 provide cleaning services, security enhancements, or any
- 4 other service usually provided through the Federal Build-
- 5 ings Fund, to any agency that does not pay the rate per
- 6 square foot assessment for space and services as deter-
- 7 mined by the General Services Administration in consider-
- 8 ation of the Public Buildings Amendments Act of 1972
- 9 (Public Law 92–313).
- 10 Sec. 524. From funds made available under the
- 11 heading Federal Buildings Fund, Limitations on Avail-
- 12 ability of Revenue, claims against the Government of less
- 13 than \$250,000 arising from direct construction projects
- 14 and acquisition of buildings may be liquidated from sav-
- 15 ings effected in other construction projects with prior noti-
- 16 fication to the Committees on Appropriations of the House
- 17 of Representatives and the Senate.
- 18 Sec. 525. In any case in which the Committee on
- 19 Transportation and Infrastructure of the House of Rep-
- 20 resentatives and the Committee on Environment and Pub-
- 21 lic Works of the Senate adopt a resolution granting lease
- 22 authority pursuant to a prospectus transmitted to Con-
- 23 gress by the Administrator of the General Services Admin-
- 24 istration under 40 U.S.C. 3307, the Administrator shall
- 25 ensure that the delineated area of procurement is identical



- 1 to the delineated area included in the prospectus for all
- 2 lease agreements, except that, if the Administrator deter-
- 3 mines that the delineated area of the procurement should
- 4 not be identical to the delineated area included in the pro-
- 5 spectus, the Administrator shall provide an explanatory
- 6 statement to each of such committees and the Committees
- 7 on Appropriations of the House of Representatives and the
- 8 Senate prior to exercising any lease authority provided in
- 9 the resolution.
- 10 Sec. 526. With respect to each project funded under
- 11 the heading "Major Repairs and Alterations" or "Judici-
- 12 ary Capital Security Program", and with respect to E-
- 13 Government projects funded under the heading "Federal
- 14 Citizen Services Fund", the Administrator of General
- 15 Services shall submit a spending plan and explanation for
- 16 each project to be undertaken to the Committees on Ap-
- 17 propriations of the House of Representatives and the Sen-
- 18 ate not later than 60 days after the date of enactment
- 19 of this Act.
- 20 Sec. 527. The Administrator of General Services
- 21 shall submit a report to the Committees on Appropriations
- 22 of the Senate and House of Representatives not later than
- 23 30 days following implementation of the initiative estab-
- 24 lished under (c)(2) of Section 846 of the National Defense
- 25 Authorization Act for Fiscal Year 2018 (Public Law 115–



1	91; 41 U.S.C. 1901 note) containing a market analysis				
2	and an implementation strategy related to the require				
3	ments under subparagraph (h) of Section 846. The report				
4	shall address strategies and processes for proper govern-				
5	ment safeguards to data management and privacy for in-				
6	corporation into the implementation of Section 846 to en-				
7	sure a competitive environment.				
8	HARRY S TRUMAN SCHOLARSHIP FOUNDATION				
9	SALARIES AND EXPENSES				
10	For payment to the Harry S Truman Scholarship				
11	Foundation Trust Fund, established by section 10 of Pub-				
12	lic Law 93–642, $$1,000,000$, to remain available until ex-				
13	pended.				
14	MERIT SYSTEMS PROTECTION BOARD				
15	SALARIES AND EXPENSES				
16	(INCLUDING TRANSFER OF FUNDS)				
17	For necessary expenses to carry out functions of the				
18	Merit Systems Protection Board pursuant to Reorganiza-				
19	tion Plan Numbered 2 of 1978, the Civil Service Reform				
20	Act of 1978, and the Whistleblower Protection Act of				
21	1989 (5 U.S.C. 5509 note), including services as author-				
22	ized by 5 U.S.C. 3109, rental of conference rooms in the				
23	District of Columbia and elsewhere, hire of passenger				
24	motor vehicles, direct procurement of survey printing, and				
25	not to exceed \$2,000 for official reception and representa-				



1	tion expenses,	\$44,490,000,	to r	remain	available	until	Sep-
-	cross cripornoco,	+,0,000,		CITICOLI	ce i cerreioro		~~~

- 2 tember 30, 2020, and in addition not to exceed
- 3 \$2,345,000, to remain available until September 30, 2020,
- 4 for administrative expenses to adjudicate retirement ap-
- 5 peals to be transferred from the Civil Service Retirement
- 6 and Disability Fund in amounts determined by the Merit
- 7 Systems Protection Board.
- 8 MORRIS K. UDALL AND STEWART L. UDALL
- 9 FOUNDATION
- 10 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND
- 11 (INCLUDING TRANSFER OF FUNDS)
- For payment to the Morris K. Udall and Stewart L.
- 13 Udall Trust Fund, pursuant to the Morris K. Udall and
- 14 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
- 15 seq.), \$1,875,000, to remain available until expended, of
- 16 which, notwithstanding sections 8 and 9 of such Act: (1)
- 17 up to \$50,000 shall be used to conduct financial audits
- 18 pursuant to the Accountability of Tax Dollars Act of 2002
- 19 (Public Law 107–289); and (2) up to \$1,000,000 shall
- 20 be available to carry out the activities authorized by sec-
- 21 tion 6(7) of Public Law 102-259 and section 817(a) of
- 22 Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That
- 23 of the total amount made available under this heading
- 24 \$200,000 shall be transferred to the Office of Inspector
- 25 General of the Department of the Interior, to remain



- 1 available until expended, for audits and investigations of
- 2 the Morris K. Udall and Stewart L. Udall Foundation,
- 3 consistent with the Inspector General Act of 1978 (5
- 4 U.S.C. App.).
- 5 ENVIRONMENTAL DISPUTE RESOLUTION FUND
- 6 For payment to the Environmental Dispute Resolu-
- 7 tion Fund to carry out activities authorized in the Envi-
- 8 ronmental Policy and Conflict Resolution Act of 1998,
- 9 \$3,200,000, to remain available until expended.
- 10 National Archives and Records Administration
- 11 OPERATING EXPENSES
- 12 For necessary expenses in connection with the admin-
- 13 istration of the National Archives and Records Adminis-
- 14 tration and archived Federal records and related activities,
- 15 as provided by law, and for expenses necessary for the re-
- 16 view and declassification of documents, the activities of
- 17 the Public Interest Declassification Board, the operations
- 18 and maintenance of the electronic records archives, the
- 19 hire of passenger motor vehicles, and for uniforms or al-
- 20 lowances therefor, as authorized by law (5 U.S.C. 5901),
- 21 including maintenance, repairs, and cleaning,
- 22 \$373,000,000.
- 23 OFFICE OF INSPECTOR GENERAL
- 24 For necessary expenses of the Office of Inspector
- 25 General in carrying out the provisions of the Inspector



1	General Reform Act of 2008, Public Law 110–409, 122
2	Stat. 4302–16 (2008), and the Inspector General Act of
3	1978 (5 U.S.C. App.), and for the hire of passenger motor
4	vehicles, \$4,823,000.
5	REPAIRS AND RESTORATION
6	For the repair, alteration, and improvement of ar
7	chives facilities, and to provide adequate storage for hold
8	ings, \$7,500,000, to remain available until expended.
9	NATIONAL HISTORICAL PUBLICATIONS AND RECORDS
10	COMMISSION
11	GRANTS PROGRAM
12	For necessary expenses for allocations and grants for
13	historical publications and records as authorized by 44
14	U.S.C. 2504, \$6,000,000, to remain available until ex
15	pended.
16	NATIONAL CREDIT UNION ADMINISTRATION
17	COMMUNITY DEVELOPMENT REVOLVING LOAN FUND
18	For the Community Development Revolving Loan
19	Fund program as authorized by 42 U.S.C. 9812, 9822
20	and 9910, \$2,000,000 shall be available until September



21 30, 2020, for technical assistance to low-income des-

22 ignated credit unions.

1	Office of Government Ethics
2	SALARIES AND EXPENSES
3	For necessary expenses to carry out functions of the
4	Office of Government Ethics pursuant to the Ethics in
5	Government Act of 1978, the Ethics Reform Act of 1989
6	and the Stop Trading on Congressional Knowledge Act of
7	2012, including services as authorized by 5 U.S.C. 3109
8	rental of conference rooms in the District of Columbia and
9	elsewhere, hire of passenger motor vehicles, and not to ex-
10	ceed \$1,500 for official reception and representation ex-
11	penses, \$17,019,000.
12	Office of Personnel Management
13	SALARIES AND EXPENSES
14	(INCLUDING TRANSFER OF TRUST FUNDS)
15	For necessary expenses to carry out functions of the
16	Office of Personnel Management (OPM) pursuant to Re-
17	organization Plan Numbered 2 of 1978 and the Civil Serv-
18	ice Reform Act of 1978, including services as authorized
19	by 5 U.S.C. 3109; medical examinations performed for
20	veterans by private physicians on a fee basis; rental of con-
21	ference rooms in the District of Columbia and elsewhere
22	hire of passenger motor vehicles; not to exceed \$2,500 for
23	official reception and representation expenses; advances
24	for reimbursements to applicable funds of OPM and the
25	Federal Bureau of Investigation for expenses incurred



1	under Executive Order No. 10422 of January 9, 1953
2	as amended; and payment of per diem and/or subsistence
3	allowances to employees where Voting Rights Act activities
4	require an employee to remain overnight at his or her post
5	of duty, \$132,172,000: Provided, That of the total amount
6	made available under this heading, not to exceed
7	\$14,000,000 shall remain available until September 30
8	2020, for information technology infrastructure mod-
9	ernization and Trust Fund Federal Financial System mi-
10	gration or modernization, and shall be in addition to funds
11	otherwise made available for such purposes: Provided fur-
12	ther, That of the total amount made available under this
13	heading, \$639,018 may be made available for strength-
14	ening the capacity and capabilities of the acquisition work-
15	force (as defined by the Office of Federal Procurement
16	Policy Act, as amended (41 U.S.C. 4001 et seq.)), includ-
17	ing the recruitment, hiring, training, and retention of such
18	workforce and information technology in support of acqui-
19	sition workforce effectiveness or for management solutions
20	to improve acquisition management; and in addition
21	\$133,483,000 for administrative expenses, to be trans-
22	ferred from the appropriate trust funds of OPM without
23	regard to other statutes, including direct procurement of
24	printed materials, for the retirement and insurance pro-
25	orams: Provided further That the provisions of this appro-



1	priation shall not affect the authority to use applicable
2	trust funds as provided by sections 8348(a)(1)(B),
3	8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title
4	5, United States Code: Provided further, That no part of
5	this appropriation shall be available for salaries and ex-
6	penses of the Legal Examining Unit of OPM established
7	pursuant to Executive Order No. 9358 of July 1, 1943,
8	or any successor unit of like purpose: Provided further,
9	That the President's Commission on White House Fel-
10	lows, established by Executive Order No. 11183 of Octo-
11	ber 3, 1964, may, during fiscal year 2019, accept dona-
12	tions of money, property, and personal services: Provided
13	further, That such donations, including those from prior
14	years, may be used for the development of publicity mate-
15	rials to provide information about the White House Fel-
16	lows, except that no such donations shall be accepted for
17	travel or reimbursement of travel expenses, or for the sala-
18	ries of employees of such Commission.
19	OFFICE OF INSPECTOR GENERAL
20	SALARIES AND EXPENSES
21	(INCLUDING TRANSFER OF TRUST FUNDS)
22	For necessary expenses of the Office of Inspector
23	General in carrying out the provisions of the Inspector
24	General Act of 1978, including services as authorized by
25	5 USC 3109 hire of passenger motor vehicles



1	\$5,000,000, and in addition, not to exceed $$25,265,000$
2	for administrative expenses to audit, investigate, and pro-
3	vide other oversight of the Office of Personnel Manage-
4	ment's retirement and insurance programs, to be trans-
5	ferred from the appropriate trust funds of the Office of
6	Personnel Management, as determined by the Inspector
7	General: $Provided$, That the Inspector General is author-
8	ized to rent conference rooms in the District of Columbia
9	and elsewhere.
10	OFFICE OF SPECIAL COUNSEL
11	SALARIES AND EXPENSES
12	For necessary expenses to carry out functions of the
13	Office of Special Counsel pursuant to Reorganization Plan
14	Numbered 2 of 1978, the Civil Service Reform Act of
15	1978 (Public Law 95–454), the Whistleblower Protection
16	Act of 1989 (Public Law 101–12) as amended by Public
17	Law 107–304, the Whistleblower Protection Enhancement
18	Act of 2012 (Public Law 112–199), and the Uniformed
19	Services Employment and Reemployment Rights Act of
20	1994 (Public Law 103–353), including services as author-
21	ized by 5 U.S.C. 3109, payment of fees and expenses for
22	witnesses, rental of conference rooms in the District of Co-
23	lumbia and elsewhere, and hire of passenger motor vehi-



24 cles; \$26,535,000.

1	Postal Regulatory Commission				
2	SALARIES AND EXPENSES				
3	(INCLUDING TRANSFER OF FUNDS)				
4	For necessary expenses of the Postal Regulatory				
5	Commission in carrying out the provisions of the Postal				
6	Accountability and Enhancement Act (Public Law 109–				
7	435), \$15,200,000, to be derived by transfer from the				
8	Postal Service Fund and expended as authorized by sec-				
9	tion 603(a) of such Act.				
10	PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD				
11	SALARIES AND EXPENSES				
12	For necessary expenses of the Privacy and Civil Lib-				
13	erties Oversight Board, as authorized by section 1061 of				
14	the Intelligence Reform and Terrorism Prevention Act of				
15	2004 (42 U.S.C. 2000ee), \$5,000,000, to remain available				
16	until September 30, 2020.				
17	SECURITIES AND EXCHANGE COMMISSION				
18	SALARIES AND EXPENSES				
19	For necessary expenses for the Securities and Ex-				
20	change Commission, including services as authorized by				
21	5 U.S.C. 3109, the rental of space (to include multiple				
22	year leases) in the District of Columbia and elsewhere, and				
23	not to exceed \$3,500 for official reception and representa-				
24	tion expenses, \$1,674,902,000, to remain available until				
25	expended: of which not less than \$15,206,000 shall be for				



- 1 the Office of Inspector General; of which not to exceed
- 2 \$75,000 shall be available for a permanent secretariat for
- 3 the International Organization of Securities Commissions;
- 4 and of which not to exceed \$100,000 shall be available
- 5 for expenses for consultations and meetings hosted by the
- 6 Commission with foreign governmental and other regu-
- 7 latory officials, members of their delegations and staffs to
- 8 exchange views concerning securities matters, such ex-
- 9 penses to include necessary logistic and administrative ex-
- 10 penses and the expenses of Commission staff and foreign
- 11 invitees in attendance including: (1) incidental expenses
- 12 such as meals; (2) travel and transportation; and (3) re-
- 13 lated lodging or subsistence; and of which not less than
- 14 \$75,081,000 shall be for the Division of Economic and
- 15 Risk Analysis.
- 16 In addition to the foregoing appropriation, for costs
- 17 associated with relocation under a replacement lease for
- 18 the Commission's New York regional office facilities, not
- 19 to exceed \$37,189,000, to remain available until expended:
- 20 Provided, That for purposes of calculating the fee rate
- 21 under section 31(j) of the Securities Exchange Act of
- 22 1934 (15 U.S.C. 78ee(j)) for fiscal year 2019, all amounts
- 23 appropriated under this heading shall be deemed to be the
- 24 regular appropriation to the Commission for fiscal year
- 25 2019: Provided further, That fees and charges authorized



1	by section 31 of the Securities Exchange Act of 1934 (15
2	U.S.C. 78ee) shall be credited to this account as offsetting
3	collections: Provided further, That not to exceed
4	\$1,674,902,000 of such offsetting collections shall be
5	available until expended for necessary expenses of this ac-
6	count and not to exceed \$37,189,000 of such offsetting
7	collections shall be available until expended for costs under
8	this heading associated with relocation under a replace-
9	ment lease for the Commission's New York regional office
10	facilities: Provided further, That the total amount appro-
11	priated under this heading from the general fund for fiscal
12	year 2019 shall be reduced as such offsetting fees are re-
13	ceived so as to result in a final total fiscal year 2019 ap-
14	propriation from the general fund estimated at not more
15	than \$0: Provided further, That if any amount of the ap-
16	propriation for costs associated with relocation under a re-
17	placement lease for the Commission's New York regional
18	office facilities is subsequently de-obligated by the Com-
19	mission, such amount that was derived from the general
20	fund shall be returned to the general fund, and such
21	amounts that were derived from fees or assessments col-
22	lected for such purpose shall be paid to each national secu-
23	rities exchange and national securities association, respec-
24	tively, in proportion to any fees or assessments paid by
25	such national securities exchange or national securities as-



1	sociation under section 31 of the Securities Exchange Act
2	of 1934 (15 U.S.C. 78ee) in fiscal year 2019.
3	SELECTIVE SERVICE SYSTEM
4	SALARIES AND EXPENSES
5	For necessary expenses of the Selective Service Sys-
6	tem, including expenses of attendance at meetings and of
7	training for uniformed personnel assigned to the Selective
8	Service System, as authorized by 5 U.S.C. 4101–4118 for
9	civilian employees; hire of passenger motor vehicles; serv-
10	ices as authorized by 5 U.S.C. 3109; and not to exceed
11	\$750 for official reception and representation expenses;
12	\$26,000,000: Provided, That during the current fiscal
13	year, the President may exempt this appropriation from
14	the provisions of 31 U.S.C. 1341, whenever the President
15	deems such action to be necessary in the interest of na-
16	tional defense: Provided further, That none of the funds
17	appropriated by this Act may be expended for or in con-
18	nection with the induction of any person into the Armed
19	Forces of the United States.
20	SMALL BUSINESS ADMINISTRATION
21	SALARIES AND EXPENSES
22	For necessary expenses, not otherwise provided for,
23	of the Small Business Administration, including hire of
24	passenger motor vehicles as authorized by sections 1343
25	and 1344 of title 31, United States Code, and not to ex-



- 1 ceed \$3,500 for official reception and representation ex-
- 2 penses, \$267,500,000, of which not less than \$12,000,000
- 3 shall be available for examinations, reviews, and other
- 4 lender oversight activities: Provided, That the Adminis-
- 5 trator is authorized to charge fees to cover the cost of pub-
- 6 lications developed by the Small Business Administration,
- 7 and certain loan program activities, including fees author-
- 8 ized by section 5(b) of the Small Business Act: Provided
- 9 further, That, notwithstanding 31 U.S.C. 3302, revenues
- 10 received from all such activities shall be credited to this
- 11 account, to remain available until expended, for carrying
- 12 out these purposes without further appropriations: Pro-
- 13 vided further, That the Small Business Administration
- 14 may accept gifts in an amount not to exceed \$4,000,000
- 15 and may co-sponsor activities, each in accordance with sec-
- 16 tion 132(a) of division K of Public Law 108-447, during
- 17 fiscal year 2019: Provided further, That \$6,100,000 shall
- 18 be available for the Loan Modernization and Accounting
- 19 System, to be available until September 30, 2020: Pro-
- 20 vided further, That \$3,000,000 shall be for the Federal
- 21 and State Technology Partnership Program under section
- 22 34 of the Small Business Act (15 U.S.C. 657d).
- 23 Entrepreneurial Development programs
- 24 For necessary expenses of programs supporting en-
- 25 trepreneurial and small business development,



- 1 \$247,700,000, to remain available until September 30,
- 2 2020: *Provided*, That \$131,000,000 shall be available to
- 3 fund grants for performance in fiscal year 2019 or fiscal
- 4 year 2020 as authorized by section 21 of the Small Busi-
- 5 ness Act: Provided further, That \$31,000,000 shall be for
- 6 marketing, management, and technical assistance under
- 7 section 7(m) of the Small Business Act (15 U.S.C.
- 8 636(m)(4)) by intermediaries that make microloans under
- 9 the microloan program: Provided further, That
- 10 \$18,000,000 shall be available for grants to States to
- 11 carry out export programs that assist small business con-
- 12 cerns authorized under section 22(l) of the Small Business
- 13 Act (15 U.S.C. 649(1)).
- 14 OFFICE OF INSPECTOR GENERAL
- For necessary expenses of the Office of Inspector
- 16 General in carrying out the provisions of the Inspector
- 17 General Act of 1978, \$21,900,000.
- 18 OFFICE OF ADVOCACY
- 19 For necessary expenses of the Office of Advocacy in
- 20 carrying out the provisions of title II of Public Law 94-
- 21 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
- 22 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to
- 23 remain available until expended.



1	BUSINESS LOANS PROGRAM ACCOUNT
2	(INCLUDING TRANSFER OF FUNDS)
3	For the cost of direct loans, \$4,000,000, to remain
4	available until expended: Provided, That such costs, in-
5	cluding the cost of modifying such loans, shall be as de-
6	fined in section 502 of the Congressional Budget Act of
7	1974: Provided further, That subject to section 502 of the
8	Congressional Budget Act of 1974, during fiscal year
9	2019 commitments to guarantee loans under section 503
10	of the Small Business Investment Act of 1958 shall not
11	exceed \$7,500,000,000: Provided further, That during fis-
12	cal year 2019 commitments for general business loans au-
13	thorized under section 7(a) of the Small Business Act
14	shall not exceed \$30,000,000,000 for a combination of
15	amortizing term loans and the aggregated maximum line
16	of credit provided by revolving loans: Provided further,
17	That during fiscal year 2019 commitments for loans au-
18	thorized under subparagraph (C) of section 502(7) of The
19	Small Business Investment Act of 1958 (15 U.S.C.
20	696(7)) shall not exceed \$7,500,000,000: Provided further,
21	That during fiscal year 2019 commitments to guarantee
22	loans for debentures under section 303(b) of the Small
23	Business Investment Act of 1958 shall not exceed
24	\$4,000,000,000: Provided further, That during fiscal year
25	2019, guarantees of trust certificates authorized by sec-



1	tion 5(g) of the Small Business Act shall not exceed a
2	principal amount of \$12,000,000,000. In addition, for ad-
3	ministrative expenses to carry out the direct and guaran-
4	teed loan programs, \$155,150,000, which may be trans-
5	ferred to and merged with the appropriations for Salaries
6	and Expenses.
7	DISASTER LOANS PROGRAM ACCOUNT
8	(INCLUDING TRANSFERS OF FUNDS)
9	For administrative expenses to carry out the direct
10	loan program authorized by section 7(b) of the Small
11	Business Act, \$10,000,000, to be available until expended,
12	of which $\$1,000,000$ is for the Office of Inspector General
13	of the Small Business Administration for audits and re-
14	views of disaster loans and the disaster loan programs and
15	shall be transferred to and merged with the appropriations
16	for the Office of Inspector General; and of which
17	\$9,000,000 is for indirect administrative expenses for the
18	direct loan program, which may be transferred to and
19	merged with the appropriations for Salaries and Expenses.
20	ADMINISTRATIVE PROVISIONS—SMALL BUSINESS
21	ADMINISTRATION
22	(INCLUDING RESCISSION AND TRANSFER OF FUNDS)
23	Sec. 530. Not to exceed 5 percent of any appropria-
24	tion made available for the current fiscal year for the
25	Small Business Administration in this Act may be trans-



- 1 ferred between such appropriations, but no such appro-
- 2 priation shall be increased by more than 10 percent by
- 3 any such transfers: *Provided*, That any transfer pursuant
- 4 to this paragraph shall be treated as a reprogramming of
- 5 funds under section 608 of this Act and shall not be avail-
- 6 able for obligation or expenditure except in compliance
- 7 with the procedures set forth in that section.
- 8 Sec. 531. Of the unobligated balances from prior
- 9 year appropriations available under the "Business Loans
- 10 Program Account" heading for the Certified Development
- 11 Company Program, \$50,000,000 are hereby permanently
- 12 rescinded: Provided, That no amounts may be rescinded
- 13 under this section from amounts that were designated by
- 14 the Congress as an emergency requirement pursuant to
- 15 a concurrent resolution on the budget or the Balanced
- 16 Budget and Emergency Deficit Control Act of 1985.
- 17 Sec. 532. Section 12085 of Public Law 110–246 is
- 18 repealed.
- 19 Sec. 533. Not to exceed 3 percent of any appropria-
- 20 tion made available in this Act for the Small Business Ad-
- 21 ministration under the headings "Salaries and Expenses"
- 22 and "Business Loans Program Account" may be trans-
- 23 ferred to the Administration's information technology sys-
- 24 tem modernization and working capital fund (IT WCF),
- 25 as authorized by Section 1077(b)(1) of title X of division



1	A o	f the	National	Defense	Authorization	Act	for	Fisca	1
	11 0	T OHE	radional	Detense	Authorization	TICL	TOT	1 1000	J.

- 2 Year 2018, for the purposes specified in section
- 3 1077(b)(3) of such Act, upon the advance approval of the
- 4 Committees on Appropriations of the House of Represent-
- 5 atives and the Senate: *Provided*, That amounts transferred
- 6 to the IT WCF under this section shall remain available
- 7 for obligation through September 30, 2022.
- 8 United States Postal Service
- 9 PAYMENT TO THE POSTAL SERVICE FUND
- For payment to the Postal Service Fund for revenue
- 11 forgone on free and reduced rate mail, pursuant to sub-
- 12 sections (c) and (d) of section 2401 of title 39, United
- 13 States Code, \$55,235,000: Provided, That mail for over-
- 14 seas voting and mail for the blind shall continue to be free:
- 15 Provided further, That 6-day delivery and rural delivery
- 16 of mail shall continue at not less than the 1983 level: Pro-
- 17 vided further, That none of the funds made available to
- 18 the Postal Service by this Act shall be used to implement
- 19 any rule, regulation, or policy of charging any officer or
- 20 employee of any State or local child support enforcement
- 21 agency, or any individual participating in a State or local
- 22 program of child support enforcement, a fee for informa-
- 23 tion requested or provided concerning an address of a
- 24 postal customer: Provided further, That none of the funds



1	provided in this Act shall be used to consolidate or close
2	small rural and other small post offices.
3	OFFICE OF INSPECTOR GENERAL
4	SALARIES AND EXPENSES
5	(INCLUDING TRANSFER OF FUNDS)
6	For necessary expenses of the Office of Inspector
7	General in carrying out the provisions of the Inspector
8	General Act of 1978, \$250,000,000, to be derived by
9	transfer from the Postal Service Fund and expended as
10	authorized by section 603(b)(3) of the Postal Account-
11	ability and Enhancement Act (Public Law 109–435).
12	UNITED STATES TAX COURT
13	SALARIES AND EXPENSES
14	For necessary expenses, including contract reporting
15	and other services as authorized by 5 U.S.C. 3109,
16	\$51,515,000, of which \$500,000 shall remain available
17	until expended: Provided, That travel expenses of the
18	judges shall be paid upon the written certificate of the
19	judge.



1	TITLE VI
2	GENERAL PROVISIONS—THIS ACT
3	Sec. 601. None of the funds in this Act shall be used
4	for the planning or execution of any program to pay the
5	expenses of, or otherwise compensate, non-Federal parties
6	intervening in regulatory or adjudicatory proceedings
7	funded in this Act.
8	Sec. 602. None of the funds appropriated in this Act
9	shall remain available for obligation beyond the current
10	fiscal year, nor may any be transferred to other appropria-
11	tions, unless expressly so provided herein.
12	Sec. 603. The expenditure of any appropriation
13	under this Act for any consulting service through procure-
14	ment contract pursuant to 5 U.S.C. 3109, shall be limited
15	to those contracts where such expenditures are a matter
16	of public record and available for public inspection, except
17	where otherwise provided under existing law, or under ex-
18	isting Executive order issued pursuant to existing law.
19	Sec. 604. None of the funds made available in this
20	Act may be transferred to any department, agency, or in-
21	strumentality of the United States Government, except
22	pursuant to a transfer made by, or transfer authority pro-
23	vided in, this Act or any other appropriations Act.
24	Sec. 605. None of the funds made available by this
25	Act shall be available for any activity or for paying the



- 1 salary of any Government employee where funding an ac-
- 2 tivity or paying a salary to a Government employee would
- 3 result in a decision, determination, rule, regulation, or pol-
- 4 icy that would prohibit the enforcement of section 307 of
- 5 the Tariff Act of 1930 (19 U.S.C. 1307).
- 6 Sec. 606. No funds appropriated pursuant to this
- 7 Act may be expended by an entity unless the entity agrees
- 8 that in expending the assistance the entity will comply
- 9 with chapter 83 of title 41, United States Code.
- 10 Sec. 607. No funds appropriated or otherwise made
- 11 available under this Act shall be made available to any
- 12 person or entity that has been convicted of violating chap-
- 13 ter 83 of title 41, United States Code.
- 14 Sec. 608. Except as otherwise provided in this Act,
- 15 none of the funds provided in this Act, provided by pre-
- 16 vious appropriations Acts to the agencies or entities fund-
- 17 ed in this Act that remain available for obligation or ex-
- 18 penditure in fiscal year 2019, or provided from any ac-
- 19 counts in the Treasury derived by the collection of fees
- 20 and available to the agencies funded by this Act, shall be
- 21 available for obligation or expenditure through a re-
- 22 programming of funds that: (1) creates a new program;
- 23 (2) eliminates a program, project, or activity; (3) increases
- 24 funds or personnel for any program, project, or activity
- 25 for which funds have been denied or restricted by the Con-



1	gress; (4) proposes to use funds directed for a specific ac-
2	tivity by the Committee on Appropriations of either the
3	House of Representatives or the Senate for a different
4	purpose; (5) augments existing programs, projects, or ac-
5	tivities in excess of \$5,000,000 or 10 percent, whichever
6	is less; (6) reduces existing programs, projects, or activi-
7	ties by $\$5,000,000$ or 10 percent, whichever is less; or (7)
8	creates or reorganizes offices, programs, or activities un-
9	less prior approval is received from the Committees on Ap-
10	propriations of the House of Representatives and the Sen-
11	ate: $Provided$, That prior to any significant reorganization,
12	restructuring, relocation, or closing of offices, programs,
13	or activities, each agency or entity funded in this Act shall
14	consult with the Committees on Appropriations of the
15	House of Representatives and the Senate: Provided fur-
16	ther, That not later than 60 days after the date of enact-
17	ment of this Act, each agency funded by this Act shall
18	submit a report to the Committees on Appropriations of
19	the House of Representatives and the Senate to establish
20	the baseline for application of reprogramming and trans-
21	fer authorities for the current fiscal year: Provided further,

- for each appropriation with a separate column to display
- That at a minimum the report shall include: (1) a table

- the President's budget request, adjustments made by Con
 - gress, adjustments due to enacted rescissions, if appro-

- 1 priate, and the fiscal year enacted level; (2) a delineation
- 2 in the table for each appropriation both by object class
- 3 and program, project, and activity as detailed in the budg-
- 4 et appendix for the respective appropriation; and (3) an
- 5 identification of items of special congressional interest:
- 6 Provided further, That the amount appropriated or limited
- 7 for salaries and expenses for an agency shall be reduced
- 8 by \$100,000 per day for each day after the required date
- 9 that the report has not been submitted to the Congress.
- 10 Sec. 609. Except as otherwise specifically provided
- 11 by law, not to exceed 50 percent of unobligated balances
- 12 remaining available at the end of fiscal year 2019 from
- 13 appropriations made available for salaries and expenses
- 14 for fiscal year 2019 in this Act, shall remain available
- 15 through September 30, 2020, for each such account for
- 16 the purposes authorized: Provided, That a request shall
- 17 be submitted to the Committees on Appropriations of the
- 18 House of Representatives and the Senate for approval
- 19 prior to the expenditure of such funds: Provided further,
- 20 That these requests shall be made in compliance with re-
- 21 programming guidelines.
- Sec. 610. (a) None of the funds made available in
- 23 this Act may be used by the Executive Office of the Presi-
- 24 dent to request—



1	(1) any official background investigation report
2	on any individual from the Federal Bureau of Inves-
3	tigation; or
4	(2) a determination with respect to the treat-
5	ment of an organization as described in section
6	501(c) of the Internal Revenue Code of 1986 and
7	exempt from taxation under section 501(a) of such
8	Code from the Department of the Treasury or the
9	Internal Revenue Service.
10	(b) Subsection (a) shall not apply—
11	(1) in the case of an official background inves-
12	tigation report, if such individual has given express
13	written consent for such request not more than 6
14	months prior to the date of such request and during
15	the same presidential administration; or
16	(2) if such request is required due to extraor-
17	dinary circumstances involving national security.
18	Sec. 611. The cost accounting standards promul-
19	gated under chapter 15 of title 41, United States Code
20	shall not apply with respect to a contract under the Fed-
21	eral Employees Health Benefits Program established
22	under chapter 89 of title 5, United States Code.
23	Sec. 612. For the purpose of resolving litigation and
24	implementing any settlement agreements regarding the
25	nonforeign area cost-of-living allowance program, the Of-



- 1 fice of Personnel Management may accept and utilize
- 2 (without regard to any restriction on unanticipated travel
- 3 expenses imposed in an Appropriations Act) funds made
- 4 available to the Office of Personnel Management pursuant
- 5 to court approval.
- 6 Sec. 613. No funds appropriated by this Act shall
- 7 be available to pay for an abortion, or the administrative
- 8 expenses in connection with any health plan under the
- 9 Federal employees health benefits program which provides
- 10 any benefits or coverage for abortions.
- 11 Sec. 614. The provision of section 613 shall not
- 12 apply where the life of the mother would be endangered
- 13 if the fetus were carried to term, or the pregnancy is the
- 14 result of an act of rape or incest.
- 15 Sec. 615. In order to promote Government access to
- 16 commercial information technology, the restriction on pur-
- 17 chasing nondomestic articles, materials, and supplies set
- 18 forth in chapter 83 of title 41, United States Code (popu-
- 19 larly known as the Buy American Act), shall not apply
- 20 to the acquisition by the Federal Government of informa-
- 21 tion technology (as defined in section 11101 of title 40,
- 22 United States Code), that is a commercial item (as defined
- 23 in section 103 of title 41, United States Code).
- Sec. 616. Notwithstanding section 1353 of title 31,
- 25 United States Code, no officer or employee of any regu-



- 1 latory agency or commission funded by this Act may ac-
- 2 cept on behalf of that agency, nor may such agency or
- 3 commission accept, payment or reimbursement from a
- 4 non-Federal entity for travel, subsistence, or related ex-
- 5 penses for the purpose of enabling an officer or employee
- 6 to attend and participate in any meeting or similar func-
- 7 tion relating to the official duties of the officer or em-
- 8 ployee when the entity offering payment or reimbursement
- 9 is a person or entity subject to regulation by such agency
- 10 or commission, or represents a person or entity subject
- 11 to regulation by such agency or commission, unless the
- 12 person or entity is an organization described in section
- 13 501(c)(3) of the Internal Revenue Code of 1986 and ex-
- 14 empt from tax under section 501(a) of such Code.
- 15 Sec. 617. Notwithstanding section 708 of this Act,
- 16 funds made available to the Commodity Futures Trading
- 17 Commission and the Securities and Exchange Commission
- 18 by this or any other Act may be used for the interagency
- 19 funding and sponsorship of a joint advisory committee to
- 20 advise on emerging regulatory issues.
- 21 Sec. 618. (a)(1) Notwithstanding any other provision
- 22 of law, an Executive agency covered by this Act otherwise
- 23 authorized to enter into contracts for either leases or the
- 24 construction or alteration of real property for office, meet-
- 25 ing, storage, or other space must consult with the General



1	Services Administration before issuing a solicitation for of-
2	fers of new leases or construction contracts, and in the
3	case of succeeding leases, before entering into negotiations
4	with the current lessor.
5	(2) Any such agency with authority to enter into an
6	emergency lease may do so during any period declared by
7	the President to require emergency leasing authority with
8	respect to such agency.
9	(b) For purposes of this section, the term "Executive
10	agency covered by this Act" means any Executive agency
11	provided funds by this Act, but does not include the Gen-
12	eral Services Administration or the United States Postal
13	Service.
14	Sec. 619. (a) There are appropriated for the fol-
15	lowing activities the amounts required under current law:
16	(1) Compensation of the President (3 U.S.C.
17	102).
18	(2) Payments to—
19	(A) the Judicial Officers' Retirement Fund
20	(28 U.S.C. 377(o));
21	(B) the Judicial Survivors' Annuities Fund
22	(28 U.S.C. 376(e)); and
23	(C) the United States Court of Federal
24	Claims Judges' Retirement Fund (28 U.S.C.
25	178(l)).



1	(3) Payment of Government contributions—
2	(A) with respect to the health benefits of
3	retired employees, as authorized by chapter 89
4	of title 5, United States Code, and the Retired
5	Federal Employees Health Benefits Act (74
6	Stat. 849); and
7	(B) with respect to the life insurance bene-
8	fits for employees retiring after December 31,
9	1989 (5 U.S.C. ch. 87).
10	(4) Payment to finance the unfunded liability of
11	new and increased annuity benefits under the Civil
12	Service Retirement and Disability Fund (5 U.S.C.
13	8348).
14	(5) Payment of annuities authorized to be paid
15	from the Civil Service Retirement and Disability
16	Fund by statutory provisions other than subchapter
17	III of chapter 83 or chapter 84 of title 5, United
18	States Code.
19	(b) Nothing in this section may be construed to ex-
20	empt any amount appropriated by this section from any
21	otherwise applicable limitation on the use of funds con-
22	tained in this Act.
23	Sec. 620. In addition to amounts made available in
24	prior fiscal years, the Public Company Accounting Over-
25	sight Board (Board) shall have authority to obligate funds



- 1 for the scholarship program established by section
- 2 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law
- 3 107-204) in an aggregate amount not exceeding the
- 4 amount of funds collected by the Board between January
- 5 1, 2018 and December 31, 2018, including accrued inter-
- 6 est, as a result of the assessment of monetary penalties.
- 7 Funds available for obligation in fiscal year 2019 shall re-
- 8 main available until expended. Beginning in fiscal year
- 9 2020 and for each fiscal year thereafter, monetary pen-
- 10 alties collected pursuant to 15 U.S.C. 7215 shall be depos-
- 11 ited in the Public Company Accounting Oversight Board
- 12 account as discretionary offsetting receipts.
- 13 Sec. 621. None of the funds made available in this
- 14 Act may be used by the Federal Trade Commission to
- 15 complete the draft report entitled "Interagency Working
- 16 Group on Food Marketed to Children: Preliminary Pro-
- 17 posed Nutrition Principles to Guide Industry Self-Regu-
- 18 latory Efforts" unless the Interagency Working Group on
- 19 Food Marketed to Children complies with Executive Order
- 20 No. 13563.
- 21 Sec. 622. None of the funds in this Act may be used
- 22 for the Director of the Office of Personnel Management
- 23 to award a contract, enter an extension of, or exercise an
- 24 option on a contract to a contractor conducting the final
- 25 quality review processes for background investigation



- 1 fieldwork services or background investigation support
- 2 services that, as of the date of the award of the contract,
- 3 are being conducted by that contractor.
- 4 Sec. 623. (a) The head of each executive branch
- 5 agency funded by this Act shall ensure that the Chief In-
- 6 formation Officer of the agency has the authority to par-
- 7 ticipate in decisions regarding the budget planning process
- 8 related to information technology.
- 9 (b) Amounts appropriated for any executive branch
- 10 agency funded by this Act that are available for informa-
- 11 tion technology shall be allocated within the agency, con-
- 12 sistent with the provisions of appropriations Acts and
- 13 budget guidelines and recommendations from the Director
- 14 of the Office of Management and Budget, in such manner
- 15 as specified by, or approved by, the Chief Information Of-
- 16 ficer of the agency in consultation with the Chief Financial
- 17 Officer of the agency and budget officials.
- 18 Sec. 624. None of the funds made available in this
- 19 Act may be used in contravention of chapter 29, 31, or
- 20 33 of title 44, United States Code.
- 21 Sec. 625. None of the funds made available in this
- 22 Act may be used by a governmental entity to require the
- 23 disclosure by a provider of electronic communication serv-
- 24 ice to the public or remote computing service of the con-
- 25 tents of a wire or electronic communication that is in elec-



- 1 tronic storage with the provider (as such terms are defined
- 2 in sections 2510 and 2711 of title 18, United States Code)
- 3 in a manner that violates the Fourth Amendment to the
- 4 Constitution of the United States.
- 5 Sec. 626. None of the funds appropriated by this Act
- 6 may be used by the Federal Communications Commission
- 7 to modify, amend, or change the rules or regulations of
- 8 the Commission for universal service high-cost support for
- 9 competitive eligible telecommunications carriers in a way
- 10 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
- 11 tion 54.307 of title 47, Code of Federal Regulations, as
- 12 in effect on July 15, 2015: Provided, That this section
- 13 shall not prohibit the Commission from considering, devel-
- 14 oping, or adopting other support mechanisms as an alter-
- 15 native to Mobility Fund Phase II.
- 16 Sec. 627. No funds provided in this Act shall be used
- 17 to deny an Inspector General funded under this Act timely
- 18 access to any records, documents, or other materials avail-
- 19 able to the department or agency over which that Inspec-
- 20 tor General has responsibilities under the Inspector Gen-
- 21 eral Act of 1978, or to prevent or impede that Inspector
- 22 General's access to such records, documents, or other ma-
- 23 terials, under any provision of law, except a provision of
- 24 law that expressly refers to the Inspector General and ex-
- 25 pressly limits the Inspector General's right of access. A



- 1 department or agency covered by this section shall provide
- 2 its Inspector General with access to all such records, docu-
- 3 ments, and other materials in a timely manner. Each In-
- 4 spector General shall ensure compliance with statutory
- 5 limitations on disclosure relevant to the information pro-
- 6 vided by the establishment over which that Inspector Gen-
- 7 eral has responsibilities under the Inspector General Act
- 8 of 1978. Each Inspector General covered by this section
- 9 shall report to the Committees on Appropriations of the
- 10 House of Representatives and the Senate within 5 cal-
- 11 endar days any failures to comply with this requirement.
- 12 Sec. 628. (a) None of the funds made available in
- 13 this Act may be used to maintain or establish a computer
- 14 network unless such network blocks the viewing,
- 15 downloading, and exchanging of pornography.
- 16 (b) Nothing in subsection (a) shall limit the use of
- 17 funds necessary for any Federal, State, tribal, or local law
- 18 enforcement agency or any other entity carrying out crimi-
- 19 nal investigations, prosecution, adjudication activities, or
- 20 other law enforcement- or victim assistance-related activ-
- 21 ity.
- Sec. 629. None of the funds made available by this
- 23 Act shall be used by the Securities and Exchange Commis-
- 24 sion to finalize, issue, or implement any rule, regulation,
- 25 or order regarding the disclosure of political contributions,



- 1 contributions to tax exempt organizations, or dues paid
- 2 to trade associations.
- 3 Sec. 630. None of the funds appropriated or other-
- 4 wise made available by this Act may be used to pay award
- 5 or incentive fees for contractors whose performance has
- 6 been judged to be below satisfactory, behind schedule, over
- 7 budget, or has failed to meet the basic requirements of
- 8 a contract, unless the Agency determines that any such
- 9 deviations are due to unforeseeable events, government-
- 10 driven scope changes, or are not significant within the
- 11 overall scope of the project and/or program and unless
- 12 such awards or incentive fees are consistent with
- 13 16.401(e)(2) of the FAR.
- 14 Sec. 631. (a) None of the funds made available under
- 15 this Act may be used to pay for travel and conference ac-
- 16 tivities that result in a total cost to an Executive branch
- 17 department, agency, board or commission of more than
- 18 \$500,000 at any single conference unless the agency or
- 19 entity determines that such attendance is in the national
- 20 interest and advance notice is transmitted to the Commit-
- 21 tees on Appropriations of the House of Representatives
- 22 and the Senate that includes the basis of that determina-
- 23 tion.
- (b) None of the funds made available under this Act
- 25 may be used to pay for the travel to or attendance of more



- 1 than 50 employees, who are stationed in the United
- 2 States, at any single conference occurring outside the
- 3 United States unless the agency or entity determines that
- 4 such attendance is in the national interest and advance
- 5 notice is transmitted to the Committees on Appropriations
- 6 of the House of Representatives and the Senate that in-
- 7 cludes the basis of that determination.
- 8 Sec. 632. None of the funds made available by this
- 9 Act may be used for first-class or business-class travel by
- 10 the employees of executive branch agencies funded by this
- 11 Act in contravention of sections 301–10.122 through 301–
- 12 10.125 of title 41, Code of Federal Regulations.
- 13 Sec. 633. In addition to any amounts appropriated
- 14 or otherwise made available for expenses related to en-
- 15 hancements to www.oversight.gov, \$2,000,000, to remain
- 16 available until expended, shall be provided for an addi-
- 17 tional amount for such purpose to the Inspectors General
- 18 Council Fund (Fund) established pursuant to Section
- 19 11(c)(3)(B) of the Inspector General Act of 1978 (5
- 20 U.S.C. App.), as amended: Provided, That these amounts
- 21 shall be in addition to any amounts or any authority avail-
- 22 able to the Council of the Inspectors General on Integrity
- 23 and Efficiency under section 11 of the Inspector General
- 24 Act of 1978 (5 U.S.C. App.), as amended.



1	TITLE VII
2	GENERAL PROVISIONS—GOVERNMENT-WIDE
3	DEPARTMENTS, AGENCIES, AND CORPORATIONS
4	(INCLUDING TRANSFER OF FUNDS)
5	Sec. 701. No department, agency, or instrumentality
6	of the United States receiving appropriated funds under
7	this or any other Act for fiscal year 2019 shall obligate
8	or expend any such funds, unless such department, agen-
9	cy, or instrumentality has in place, and will continue to
10	administer in good faith, a written policy designed to en-
11	sure that all of its workplaces are free from the illegal
12	use, possession, or distribution of controlled substances
13	(as defined in the Controlled Substances Act (21 U.S.C.
14	802)) by the officers and employees of such department,
15	agency, or instrumentality.
16	Sec. 702. Unless otherwise specifically provided, the
17	maximum amount allowable during the current fiscal year
18	in accordance with subsection 1343(c) of title 31, United
19	States Code, for the purchase of any passenger motor ve-
20	hicle (exclusive of buses, ambulances, law enforcement ve-
21	hicles, protective vehicles, and undercover surveillance ve-
22	hicles), is hereby fixed at \$19,947 except station wagons
23	for which the maximum shall be \$19,997: Provided, That
24	these limits may be exceeded by not to exceed \$7,250 for
25	police-type vehicles: Provided further. That the limits set



- 1 forth in this section may not be exceeded by more than
- 2 5 percent for electric or hybrid vehicles purchased for
- 3 demonstration under the provisions of the Electric and
- 4 Hybrid Vehicle Research, Development, and Demonstra-
- 5 tion Act of 1976: Provided further, That the limits set
- 6 forth in this section may be exceeded by the incremental
- 7 cost of clean alternative fuels vehicles acquired pursuant
- 8 to Public Law 101–549 over the cost of comparable con-
- 9 ventionally fueled vehicles: Provided further, That the lim-
- 10 its set forth in this section shall not apply to any vehicle
- 11 that is a commercial item and which operates on alter-
- 12 native fuel, including but not limited to electric, plug-in
- 13 hybrid electric, and hydrogen fuel cell vehicles.
- 14 Sec. 703. Appropriations of the executive depart-
- 15 ments and independent establishments for the current fis-
- 16 cal year available for expenses of travel, or for the ex-
- 17 penses of the activity concerned, are hereby made available
- 18 for quarters allowances and cost-of-living allowances, in
- 19 accordance with 5 U.S.C. 5922-5924.
- 20 Sec. 704. Unless otherwise specified in law during
- 21 the current fiscal year, no part of any appropriation con-
- 22 tained in this or any other Act shall be used to pay the
- 23 compensation of any officer or employee of the Govern-
- 24 ment of the United States (including any agency the ma-
- 25 jority of the stock of which is owned by the Government



1	of the United States) whose post of duty is in the conti-
2	nental United States unless such person: (1) is a citizer
3	of the United States; (2) is a person who is lawfully admit-
4	ted for permanent residence and is seeking citizenship as
5	outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
6	is admitted as a refugee under 8 U.S.C. 1157 or is grant-
7	ed asylum under 8 U.S.C. 1158 and has filed a declaration
8	of intention to become a lawful permanent resident and
9	then a citizen when eligible; or (4) is a person who owes
10	allegiance to the United States: Provided, That for pur-
11	poses of this section, affidavits signed by any such person
12	shall be considered prima facie evidence that the require-
13	ments of this section with respect to his or her status are
14	being complied with: Provided further, That for purposes
15	of subsections (2) and (3) such affidavits shall be sub-
16	mitted prior to employment and updated thereafter as nec-
17	essary: Provided further, That any person making a false
18	affidavit shall be guilty of a felony, and upon conviction
19	shall be fined no more than \$4,000 or imprisoned for not
20	more than 1 year, or both: Provided further, That the
21	above penal clause shall be in addition to, and not in sub-
22	stitution for, any other provisions of existing law: Provided
23	further, That any payment made to any officer or em-
24	ployee contrary to the provisions of this section shall be
25	recoverable in action by the Federal Government. Provided



- 1 further, That this section shall not apply to any person
- 2 who is an officer or employee of the Government of the
- 3 United States on the date of enactment of this Act, or
- 4 to international broadcasters employed by the Broad-
- 5 casting Board of Governors, or to temporary employment
- 6 of translators, or to temporary employment in the field
- 7 service (not to exceed 60 days) as a result of emergencies:
- 8 Provided further, That this section does not apply to the
- 9 employment as Wildland firefighters for not more than
- 10 120 days of nonresident aliens employed by the Depart-
- 11 ment of the Interior or the USDA Forest Service pursuant
- 12 to an agreement with another country.
- 13 Sec. 705. Appropriations available to any depart-
- 14 ment or agency during the current fiscal year for nec-
- 15 essary expenses, including maintenance or operating ex-
- 16 penses, shall also be available for payment to the General
- 17 Services Administration for charges for space and services
- 18 and those expenses of renovation and alteration of build-
- 19 ings and facilities which constitute public improvements
- 20 performed in accordance with the Public Buildings Act of
- 21 1959 (73 Stat. 479), the Public Buildings Amendments
- 22 of 1972 (86 Stat. 216), or other applicable law.
- Sec. 706. In addition to funds provided in this or
- 24 any other Act, all Federal agencies are authorized to re-
- 25 ceive and use funds resulting from the sale of materials,



1	including Federal records disposed of pursuant to a
2	records schedule recovered through recycling or waste pre-
3	vention programs. Such funds shall be available until ex-
4	pended for the following purposes:
5	(1) Acquisition, waste reduction and prevention,
6	and recycling programs as described in Executive
7	Order No. 13693 (March 19, 2015), including any
8	such programs adopted prior to the effective date of
9	the Executive order.
10	(2) Other Federal agency environmental man-
11	agement programs, including, but not limited to, the
12	development and implementation of hazardous waste
13	management and pollution prevention programs.
14	(3) Other employee programs as authorized by
15	law or as deemed appropriate by the head of the
16	Federal agency.
17	Sec. 707. Funds made available by this or any other
18	Act for administrative expenses in the current fiscal year
19	of the corporations and agencies subject to chapter 91 of
20	title 31, United States Code, shall be available, in addition
21	to objects for which such funds are otherwise available,
22	for rent in the District of Columbia; services in accordance
23	with 5 U.S.C. 3109; and the objects specified under this
24	head, all the provisions of which shall be applicable to the
25	expenditure of such funds unless otherwise specified in the



- 1 Act by which they are made available: *Provided*, That in
- 2 the event any functions budgeted as administrative ex-
- 3 penses are subsequently transferred to or paid from other
- 4 funds, the limitations on administrative expenses shall be
- 5 correspondingly reduced.
- 6 Sec. 708. No part of any appropriation contained in
- 7 this or any other Act shall be available for interagency
- 8 financing of boards (except Federal Executive Boards),
- 9 commissions, councils, committees, or similar groups
- 10 (whether or not they are interagency entities) which do
- 11 not have a prior and specific statutory approval to receive
- 12 financial support from more than one agency or instru-
- 13 mentality.
- 14 Sec. 709. None of the funds made available pursuant
- 15 to the provisions of this or any other Act shall be used
- 16 to implement, administer, or enforce any regulation which
- 17 has been disapproved pursuant to a joint resolution duly
- 18 adopted in accordance with the applicable law of the
- 19 United States.
- Sec. 710. During the period in which the head of
- 21 any department or agency, or any other officer or civilian
- 22 employee of the Federal Government appointed by the
- 23 President of the United States, holds office, no funds may
- 24 be obligated or expended in excess of \$5,000 to furnish
- 25 or redecorate the office of such department head, agency



- 1 head, officer, or employee, or to purchase furniture or
- 2 make improvements for any such office, unless advance
- 3 notice of such furnishing or redecoration is transmitted
- 4 to the Committees on Appropriations of the House of Rep-
- 5 resentatives and the Senate. For the purposes of this sec-
- 6 tion, the term "office" shall include the entire suite of of-
- 7 fices assigned to the individual, as well as any other space
- 8 used primarily by the individual or the use of which is
- 9 directly controlled by the individual.
- Sec. 711. Notwithstanding 31 U.S.C. 1346, or sec-
- 11 tion 708 of this Act, funds made available for the current
- 12 fiscal year by this or any other Act shall be available for
- 13 the interagency funding of national security and emer-
- 14 gency preparedness telecommunications initiatives which
- 15 benefit multiple Federal departments, agencies, or enti-
- 16 ties, as provided by Executive Order No. 13618 (July 6,
- 17 2012).
- 18 Sec. 712. (a) None of the funds made available by
- 19 this or any other Act may be obligated or expended by
- 20 any department, agency, or other instrumentality of the
- 21 Federal Government to pay the salaries or expenses of any
- 22 individual appointed to a position of a confidential or pol-
- 23 icy-determining character that is excepted from the com-
- 24 petitive service under section 3302 of title 5, United
- 25 States Code, (pursuant to schedule C of subpart C of part



- 1 213 of title 5 of the Code of Federal Regulations) unless
- 2 the head of the applicable department, agency, or other
- 3 instrumentality employing such schedule C individual cer-
- 4 tifies to the Director of the Office of Personnel Manage-
- 5 ment that the schedule C position occupied by the indi-
- 6 vidual was not created solely or primarily in order to detail
- 7 the individual to the White House.
- 8 (b) The provisions of this section shall not apply to
- 9 Federal employees or members of the armed forces de-
- 10 tailed to or from an element of the intelligence community
- 11 (as that term is defined under section 3(4) of the National
- 12 Security Act of 1947 (50 U.S.C. 3003(4))).
- 13 Sec. 713. No part of any appropriation contained in
- 14 this or any other Act shall be available for the payment
- 15 of the salary of any officer or employee of the Federal
- 16 Government, who—
- 17 (1) prohibits or prevents, or attempts or threat-
- ens to prohibit or prevent, any other officer or em-
- 19 ployee of the Federal Government from having any
- 20 direct oral or written communication or contact with
- any Member, committee, or subcommittee of the
- Congress in connection with any matter pertaining
- to the employment of such other officer or employee
- or pertaining to the department or agency of such
- other officer or employee in any way, irrespective of

1	whether such communication or contact is at the ini-
2	tiative of such other officer or employee or in re-
3	sponse to the request or inquiry of such Member,
4	committee, or subcommittee; or
5	(2) removes, suspends from duty without pay,
6	demotes, reduces in rank, seniority, status, pay, or
7	performance or efficiency rating, denies promotion
8	to, relocates, reassigns, transfers, disciplines, or dis-
9	criminates in regard to any employment right, enti-
10	tlement, or benefit, or any term or condition of em-
11	ployment of, any other officer or employee of the
12	Federal Government, or attempts or threatens to
13	commit any of the foregoing actions with respect to
14	such other officer or employee, by reason of any
15	communication or contact of such other officer or
16	employee with any Member, committee, or sub-
17	committee of the Congress as described in paragraph
18	(1).
19	Sec. 714. (a) None of the funds made available in
20	this or any other Act may be obligated or expended for
21	any employee training that—
22	(1) does not meet identified needs for knowl-
23	edge, skills, and abilities bearing directly upon the
24	performance of official duties;



1	(2) contains elements likely to induce high lev-
2	els of emotional response or psychological stress in
3	some participants;
4	(3) does not require prior employee notification
5	of the content and methods to be used in the train-
6	ing and written end of course evaluation;
7	(4) contains any methods or content associated
8	with religious or quasi-religious belief systems or
9	"new age" belief systems as defined in Equal Em-
10	ployment Opportunity Commission Notice N-
11	915.022, dated September 2, 1988; or
12	(5) is offensive to, or designed to change, par-
13	ticipants' personal values or lifestyle outside the
14	workplace.
15	(b) Nothing in this section shall prohibit, restrict, or
16	otherwise preclude an agency from conducting training
17	bearing directly upon the performance of official duties
18	Sec. 715. No part of any funds appropriated in this
19	or any other Act shall be used by an agency of the execu-
20	tive branch, other than for normal and recognized execu-
21	tive-legislative relationships, for publicity or propaganda
22	purposes, and for the preparation, distribution or use of
23	any kit, pamphlet, booklet, publication, radio, television
24	or film presentation designed to support or defeat legisla-



- 1 tion pending before the Congress, except in presentation
- 2 to the Congress itself.
- 3 Sec. 716. None of the funds appropriated by this or
- 4 any other Act may be used by an agency to provide a Fed-
- 5 eral employee's home address to any labor organization
- 6 except when the employee has authorized such disclosure
- 7 or when such disclosure has been ordered by a court of
- 8 competent jurisdiction.
- 9 Sec. 717. None of the funds made available in this
- 10 or any other Act may be used to provide any non-public
- 11 information such as mailing, telephone or electronic mail-
- 12 ing lists to any person or any organization outside of the
- 13 Federal Government without the approval of the Commit-
- 14 tees on Appropriations of the House of Representatives
- 15 and the Senate.
- 16 Sec. 718. No part of any appropriation contained in
- 17 this or any other Act shall be used directly or indirectly,
- 18 including by private contractor, for publicity or propa-
- 19 ganda purposes within the United States not heretofore
- 20 authorized by Congress.
- 21 Sec. 719. (a) In this section, the term "agency"—
- 22 (1) means an Executive agency, as defined
- 23 under 5 U.S.C. 105; and
- 24 (2) includes a military department, as defined
- under section 102 of such title, the United States



- 1 Postal Service, and the Postal Regulatory Commis-
- 2 sion.
- 3 (b) Unless authorized in accordance with law or regu-
- 4 lations to use such time for other purposes, an employee
- 5 of an agency shall use official time in an honest effort
- 6 to perform official duties. An employee not under a leave
- 7 system, including a Presidential appointee exempted under
- 8 5 U.S.C. 6301(2), has an obligation to expend an honest
- 9 effort and a reasonable proportion of such employee's time
- 10 in the performance of official duties.
- 11 Sec. 720. Notwithstanding 31 U.S.C. 1346 and sec-
- 12 tion 708 of this Act, funds made available for the current
- 13 fiscal year by this or any other Act to any department
- 14 or agency, which is a member of the Federal Accounting
- 15 Standards Advisory Board (FASAB), shall be available to
- 16 finance an appropriate share of FASAB administrative
- 17 costs.
- 18 Sec. 721. Notwithstanding 31 U.S.C. 1346 and sec-
- 19 tion 708 of this Act, the head of each Executive depart-
- 20 ment and agency is hereby authorized to transfer to or
- 21 reimburse "General Services Administration, Government-
- 22 wide Policy" with the approval of the Director of the Of-
- 23 fice of Management and Budget, funds made available for
- 24 the current fiscal year by this or any other Act, including
- 25 rebates from charge card and other contracts: Provided,



1	That these funds shall be administered by the Adminis-
2	trator of General Services to support Government-wide
3	and other multi-agency financial, information technology,
4	procurement, and other management innovations, initia-
5	tives, and activities, including improving coordination and
6	reducing duplication, as approved by the Director of the
7	Office of Management and Budget, in consultation with
8	the appropriate interagency and multi-agency groups des-
9	ignated by the Director (including the President's Man-
10	agement Council for overall management improvement ini-
11	tiatives, the Chief Financial Officers Council for financial
12	management initiatives, the Chief Information Officers
13	Council for information technology initiatives, the Chief
14	Human Capital Officers Council for human capital initia-
15	tives, the Chief Acquisition Officers Council for procure-
16	ment initiatives, and the Performance Improvement Coun-
17	cil for performance improvement initiatives): $Provided\ fur-$
18	$\it ther, {\it That the total funds transferred or reimbursed shall}$
19	not exceed $\$15,000,000$ to improve coordination, reduce
20	duplication, and for other activities related to Federal
21	Government Priority Goals established by 31 U.S.C. 1120, $$
22	and not to exceed $\$17,000,000$ for Government-Wide inno-
23	vations, initiatives, and activities: $Provided\ further,\ That$
24	the funds transferred to or for reimbursement of "General
25	Services Administration, Government-wide Policy" during



- 1 fiscal year 2019 shall remain available for obligation
- 2 through September 30, 2020: Provided further, That such
- 3 transfers or reimbursements may only be made after 15
- 4 days following notification of the Committees on Appro-
- 5 priations of the House of Representatives and the Senate
- 6 by the Director of the Office of Management and Budget.
- 7 Sec. 722. Notwithstanding any other provision of
- 8 law, a woman may breastfeed her child at any location
- 9 in a Federal building or on Federal property, if the woman
- 10 and her child are otherwise authorized to be present at
- 11 the location.
- 12 Sec. 723. Notwithstanding 31 U.S.C. 1346, or sec-
- 13 tion 708 of this Act, funds made available for the current
- 14 fiscal year by this or any other Act shall be available for
- 15 the interagency funding of specific projects, workshops,
- 16 studies, and similar efforts to carry out the purposes of
- 17 the National Science and Technology Council (authorized
- 18 by Executive Order No. 12881), which benefit multiple
- 19 Federal departments, agencies, or entities: Provided, That
- 20 the Office of Management and Budget shall provide a re-
- 21 port describing the budget of and resources connected with
- 22 the National Science and Technology Council to the Com-
- 23 mittees on Appropriations, the House Committee on
- 24 Science and Technology, and the Senate Committee on



Commerce, Science, and Transportation 90 days after en-								
actment of this Act.								
Sec. 724. Any request for proposals, solicitation								
grant application, form, notification, press release, or								
other publications involving the distribution of Federa								
funds shall comply with any relevant requirements in part								
200 of title 2, Code of Federal Regulations: Provided,								
That this section shall apply to direct payments, formula								
funds, and grants received by a State receiving Federal								
funds.								
Sec. 725. (a) Prohibition of Federal Agency								
MONITORING OF INDIVIDUALS' INTERNET USE.—None of								
the funds made available in this or any other Act may								
be used by any Federal agency—								
(1) to collect, review, or create any aggregation								
of data, derived from any means, that includes any								
personally identifiable information relating to an in-								
dividual's access to or use of any Federal Govern-								
ment Internet site of the agency; or								
(2) to enter into any agreement with a third								
party (including another government agency) to col-								
lect, review, or obtain any aggregation of data, de-								
rived from any means, that includes any personally								



identifiable information relating to an individual's

1	access to or use of any nongovernmental Internet
2	site.
3	(b) Exceptions.—The limitations established in
4	subsection (a) shall not apply to—
5	(1) any record of aggregate data that does not
6	identify particular persons;
7	(2) any voluntary submission of personally iden-
8	tifiable information;
9	(3) any action taken for law enforcement, regu-
10	latory, or supervisory purposes, in accordance with
11	applicable law; or
12	(4) any action described in subsection $(a)(1)$
13	that is a system security action taken by the oper-
14	ator of an Internet site and is necessarily incident
15	to providing the Internet site services or to pro-
16	tecting the rights or property of the provider of the
17	Internet site.
18	(e) Definitions.—For the purposes of this section:
19	(1) The term "regulatory" means agency ac-
20	tions to implement, interpret or enforce authorities
21	provided in law.
22	(2) The term "supervisory" means examina-
23	tions of the agency's supervised institutions, includ-
24	ing assessing safety and soundness, overall financial
25	condition, management practices and policies and



1	compliance with applicable standards as provided in								
2	law.								
3	Sec. 726. (a) None of the funds appropriated by this								
4	Act may be used to enter into or renew a contract which								
5	includes a provision providing prescription drug coverage,								
6	except where the contract also includes a provision for con-								
7	traceptive coverage.								
8	(b) Nothing in this section shall apply to a contract								
9	with—								
10	(1) any of the following religious plans:								
11	(A) Personal Care's HMO; and								
12	(B) OSF HealthPlans, Inc.; and								
13	(2) any existing or future plan, if the carrier								
14	for the plan objects to such coverage on the basis of								
15	religious beliefs.								
16	(c) In implementing this section, any plan that enters								
17	into or renews a contract under this section may not sub-								
18	ject any individual to discrimination on the basis that the								
19	individual refuses to prescribe or otherwise provide for								
20	contraceptives because such activities would be contrary								
21	to the individual's religious beliefs or moral convictions.								
22	(d) Nothing in this section shall be construed to re-								
23	quire coverage of abortion or abortion-related services.								
24	Sec. 727. The United States is committed to ensur-								
25	ing the health of its Olympic, Pan American, and								



- 1 Paralympic athletes, and supports the strict adherence to
- 2 anti-doping in sport through testing, adjudication, edu-
- 3 cation, and research as performed by nationally recognized
- 4 oversight authorities.
- 5 Sec. 728. Notwithstanding any other provision of
- 6 law, funds appropriated for official travel to Federal de-
- 7 partments and agencies may be used by such departments
- 8 and agencies, if consistent with Office of Management and
- 9 Budget Circular A-126 regarding official travel for Gov-
- 10 ernment personnel, to participate in the fractional aircraft
- 11 ownership pilot program.
- 12 Sec. 729. Notwithstanding any other provision of
- 13 law, none of the funds appropriated or made available
- 14 under this or any other appropriations Act may be used
- 15 to implement or enforce restrictions or limitations on the
- 16 Coast Guard Congressional Fellowship Program, or to im-
- 17 plement the proposed regulations of the Office of Per-
- 18 sonnel Management to add sections 300.311 through
- 19 300.316 to part 300 of title 5 of the Code of Federal Reg-
- 20 ulations, published in the Federal Register, volume 68,
- 21 number 174, on September 9, 2003 (relating to the detail
- 22 of executive branch employees to the legislative branch).
- 23 Sec. 730. Notwithstanding any other provision of
- 24 law, no executive branch agency shall purchase, construct,
- 25 or lease any additional facilities, except within or contig-



- 1 uous to existing locations, to be used for the purpose of
- 2 conducting Federal law enforcement training without the
- 3 advance approval of the Committees on Appropriations of
- 4 the House of Representatives and the Senate, except that
- 5 the Federal Law Enforcement Training Center is author-
- 6 ized to obtain the temporary use of additional facilities
- 7 by lease, contract, or other agreement for training which
- 8 cannot be accommodated in existing Center facilities.
- 9 Sec. 731. Unless otherwise authorized by existing
- 10 law, none of the funds provided in this or any other Act
- 11 may be used by an executive branch agency to produce
- 12 any prepackaged news story intended for broadcast or dis-
- 13 tribution in the United States, unless the story includes
- 14 a clear notification within the text or audio of the pre-
- 15 packaged news story that the prepackaged news story was
- 16 prepared or funded by that executive branch agency.
- 17 Sec. 732. None of the funds made available in this
- 18 Act may be used in contravention of section 552a of title
- 19 5, United States Code (popularly known as the Privacy
- 20 Act), and regulations implementing that section.
- 21 Sec. 733. (a) In General.—None of the funds ap-
- 22 propriated or otherwise made available by this or any
- 23 other Act may be used for any Federal Government con-
- 24 tract with any foreign incorporated entity which is treated
- 25 as an inverted domestic corporation under section 835(b)



1	of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
2	or any subsidiary of such an entity.
3	(b) Waivers.—
4	(1) In general.—Any Secretary shall waive
5	subsection (a) with respect to any Federal Govern-
6	ment contract under the authority of such Secretary
7	if the Secretary determines that the waiver is re-
8	quired in the interest of national security.
9	(2) Report to congress.—Any Secretary
10	issuing a waiver under paragraph (1) shall report
11	such issuance to Congress.
12	(c) Exception.—This section shall not apply to any
13	Federal Government contract entered into before the date
14	of the enactment of this Act, or to any task order issued
15	pursuant to such contract.
16	Sec. 734. During fiscal year 2019, for each employee
17	who—
18	(1) retires under section $8336(d)(2)$ or
19	8414(b)(1)(B) of title 5, United States Code; or
20	(2) retires under any other provision of sub-
21	chapter III of chapter 83 or chapter 84 of such title
22	5 and receives a payment as an incentive to sepa-
23	rate, the separating agency shall remit to the Civil
24	Service Retirement and Disability Fund an amount
25	equal to the Office of Personnel Management's aver-



1	age unit cost of processing a retirement claim for								
2	the preceding fiscal year. Such amounts shall be								
3	available until expended to the Office of Personnel								
4	Management and shall be deemed to be an adminis-								
5	trative expense under section 8348(a)(1)(B) of title								
6	5, United States Code.								
7	Sec. 735. (a) None of the funds made available in								
8	this or any other Act may be used to recommend or re-								
9	quire any entity submitting an offer for a Federal contract								
10	to disclose any of the following information as a condition								
11	of submitting the offer:								
12	(1) Any payment consisting of a contribution,								
13	expenditure, independent expenditure, or disburse-								
14	ment for an electioneering communication that is								
15	made by the entity, its officers or directors, or any								
16	of its affiliates or subsidiaries to a candidate for								
17	election for Federal office or to a political com-								
18	mittee, or that is otherwise made with respect to any								
19	election for Federal office.								
20	(2) Any disbursement of funds (other than a								
21	payment described in paragraph (1)) made by the								
22	entity, its officers or directors, or any of its affiliates								
23	or subsidiaries to any person with the intent or the								
24	reasonable expectation that the person will use the								



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- 2 (1).
- 3 (b) In this section, each of the terms "contribution",
- 4 "expenditure", "independent expenditure", "election-
- 5 eering communication", "candidate", "election", and
- 6 "Federal office" has the meaning given such term in the
- 7 Federal Election Campaign Act of 1971 (52 U.S.C. 30101
- 8 et seq.).
- 9 Sec. 736. None of the funds made available in this
- 10 or any other Act may be used to pay for the painting of
- 11 a portrait of an officer or employee of the Federal govern-
- 12 ment, including the President, the Vice President, a mem-
- 13 ber of Congress (including a Delegate or a Resident Com-
- 14 missioner to Congress), the head of an executive branch
- 15 agency (as defined in section 133 of title 41, United States
- 16 Code), or the head of an office of the legislative branch.
- 17 Sec. 737. (a)(1) Notwithstanding any other provision
- 18 of law, and except as otherwise provided in this section,
- 19 no part of any of the funds appropriated for fiscal year
- 20 2019, by this or any other Act, may be used to pay any
- 21 prevailing rate employee described in section
- 22 5342(a)(2)(A) of title 5, United States Code—
- 23 (A) during the period from the date of expira-
- 24 tion of the limitation imposed by the comparable sec-
- 25 tion for the previous fiscal years until the normal ef-

1	fective date of the applicable wage survey adjust-
2	ment that is to take effect in fiscal year 2019, in an
3	amount that exceeds the rate payable for the appli-
4	cable grade and step of the applicable wage schedule
5	in accordance with such section; and
6	(B) during the period consisting of the remain-
7	der of fiscal year 2019, in an amount that exceeds,
8	as a result of a wage survey adjustment, the rate
9	payable under subparagraph (A) by more than the
10	sum of—
11	(i) the percentage adjustment taking effect
12	in fiscal year 2019 under section 5303 of title
13	5, United States Code, in the rates of pay
14	under the General Schedule; and
15	(ii) the difference between the overall aver-
16	age percentage of the locality-based com-
17	parability payments taking effect in fiscal year
18	2019 under section 5304 of such title (whether
19	by adjustment or otherwise), and the overall av-
20	erage percentage of such payments which was
21	effective in the previous fiscal year under such
22	section.
23	(2) Notwithstanding any other provision of law, no
24	prevailing rate employee described in subparagraph (B) or
25	(C) of section 5342(a)(2) of title 5, United States Code,



- 1 and no employee covered by section 5348 of such title,
- 2 may be paid during the periods for which paragraph (1)
- 3 is in effect at a rate that exceeds the rates that would
- 4 be payable under paragraph (1) were paragraph (1) appli-
- 5 cable to such employee.
- 6 (3) For the purposes of this subsection, the rates pay-
- 7 able to an employee who is covered by this subsection and
- 8 who is paid from a schedule not in existence on September
- 9 30, 2018, shall be determined under regulations pre-
- 10 scribed by the Office of Personnel Management.
- 11 (4) Notwithstanding any other provision of law, rates
- 12 of premium pay for employees subject to this subsection
- 13 may not be changed from the rates in effect on September
- 14 30, 2018, except to the extent determined by the Office
- 15 of Personnel Management to be consistent with the pur-
- 16 pose of this subsection.
- 17 (5) This subsection shall apply with respect to pay
- 18 for service performed after September 30, 2018.
- 19 (6) For the purpose of administering any provision
- 20 of law (including any rule or regulation that provides pre-
- 21 mium pay, retirement, life insurance, or any other em-
- 22 ployee benefit) that requires any deduction or contribu-
- 23 tion, or that imposes any requirement or limitation on the
- 24 basis of a rate of salary or basic pay, the rate of salary



1 or basic pay payable after the application of	this	sub-
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- 2 section shall be treated as the rate of salary or basic pay.
- 3 (7) Nothing in this subsection shall be considered to
- 4 permit or require the payment to any employee covered
- 5 by this subsection at a rate in excess of the rate that would
- 6 be payable were this subsection not in effect.
- 7 (8) The Office of Personnel Management may provide
- 8 for exceptions to the limitations imposed by this sub-
- 9 section if the Office determines that such exceptions are
- 10 necessary to ensure the recruitment or retention of quali-
- 11 fied employees.
- 12 (b) Notwithstanding subsection (a), the adjustment
- 13 in rates of basic pay for the statutory pay systems that
- 14 take place in fiscal year 2019 under sections 5344 and
- 15 5348 of title 5, United States Code, shall be—
- 16 (1) not less than the percentage received by em-
- ployees in the same location whose rates of basic pay
- are adjusted pursuant to the statutory pay systems
- under sections 5303 and 5304 of title 5, United
- 20 States Code: *Provided*, That prevailing rate employ-
- ees at locations where there are no employees whose
- pay is increased pursuant to sections 5303 and 5304
- of title 5, United States Code, and prevailing rate
- employees described in section 5343(a)(5) of title 5,
- 25 United States Code, shall be considered to be located



1	in the pay locality designated as "Rest of United
2	States" pursuant to section 5304 of title 5, United
3	States Code, for purposes of this subsection; and
4	(2) effective as of the first day of the first ap-
5	plicable pay period beginning after September 30
6	2018.
7	Sec. 738. (a) The head of any Executive branch de-
8	partment, agency, board, commission, or office funded by
9	this or any other appropriations Act shall submit annua
10	reports to the Inspector General or senior ethics official
11	for any entity without an Inspector General, regarding the
12	costs and contracting procedures related to each con-
13	ference held by any such department, agency, board, com-
14	mission, or office during fiscal year 2019 for which the
15	cost to the United States Government was more than
16	\$100,000.
17	(b) Each report submitted shall include, for each con-
18	ference described in subsection (a) held during the applica-
19	ble period—
20	(1) a description of its purpose;
21	(2) the number of participants attending;
22	(3) a detailed statement of the costs to the
23	United States Government, including—
24	(A) the cost of any food or beverages;
25	(B) the cost of any audio-visual services:



1	(C) the cost of employee or contractor
2	travel to and from the conference; and
3	(D) a discussion of the methodology used
4	to determine which costs relate to the con-
5	ference; and
6	(4) a description of the contracting procedures
7	used including—
8	(A) whether contracts were awarded on a
9	competitive basis; and
10	(B) a discussion of any cost comparison
11	conducted by the departmental component or
12	office in evaluating potential contractors for the
13	conference.
14	(c) Within 15 days after the end of a quarter, the
15	head of any such department, agency, board, commission,
16	or office shall notify the Inspector General or senior ethics
17	official for any entity without an Inspector General, of the
18	date, location, and number of employees attending a con-
19	ference held by any Executive branch department, agency,
20	board, commission, or office funded by this or any other
21	appropriations Act during fiscal year 2019 for which the
22	cost to the United States Government was more than
23	\$20,000.
24	(d) A grant or contract funded by amounts appro-
25	priated by this or any other appropriations Act may not



- 1 be used for the purpose of defraying the costs of a con-
- 2 ference described in subsection (c) that is not directly and
- 3 programmatically related to the purpose for which the
- 4 grant or contract was awarded, such as a conference held
- 5 in connection with planning, training, assessment, review,
- 6 or other routine purposes related to a project funded by
- 7 the grant or contract.
- 8 (e) None of the funds made available in this or any
- 9 other appropriations Act may be used for travel and con-
- 10 ference activities that are not in compliance with Office
- 11 of Management and Budget Memorandum M-12-12
- 12 dated May 11, 2012 or any subsequent revisions to that
- 13 memorandum.
- 14 Sec. 739. None of the funds made available in this
- 15 or any other appropriations Act may be used to increase,
- 16 eliminate, or reduce funding for a program, project, or ac-
- 17 tivity as proposed in the President's budget request for
- 18 a fiscal year until such proposed change is subsequently
- 19 enacted in an appropriation Act, or unless such change
- 20 is made pursuant to the reprogramming or transfer provi-
- 21 sions of this or any other appropriations Act.
- Sec. 740. None of the funds made available by this
- 23 or any other Act may be used to implement, administer,
- 24 enforce, or apply the rule entitled "Competitive Area"
- 25 published by the Office of Personnel Management in the



- 1 Federal Register on April 15, 2008 (73 Fed. Reg. 20180)
- 2 et seq.).
- 3 Sec. 741. None of the funds appropriated or other-
- 4 wise made available by this or any other Act may be used
- 5 to begin or announce a study or public-private competition
- 6 regarding the conversion to contractor performance of any
- 7 function performed by Federal employees pursuant to Of-
- 8 fice of Management and Budget Circular A-76 or any
- 9 other administrative regulation, directive, or policy.
- Sec. 742. (a) None of the funds appropriated or oth-
- 11 erwise made available by this or any other Act may be
- 12 available for a contract, grant, or cooperative agreement
- 13 with an entity that requires employees or contractors of
- 14 such entity seeking to report fraud, waste, or abuse to sign
- 15 internal confidentiality agreements or statements prohib-
- 16 iting or otherwise restricting such employees or contrac-
- 17 tors from lawfully reporting such waste, fraud, or abuse
- 18 to a designated investigative or law enforcement represent-
- 19 ative of a Federal department or agency authorized to re-
- 20 ceive such information.
- 21 (b) The limitation in subsection (a) shall not con-
- 22 travene requirements applicable to Standard Form 312,
- 23 Form 4414, or any other form issued by a Federal depart-
- 24 ment or agency governing the nondisclosure of classified
- 25 information.



1	Sec. 743. (a) No funds appropriated in this or any
2	other Act may be used to implement or enforce the agree-
3	ments in Standard Forms 312 and 4414 of the Govern-
4	ment or any other nondisclosure policy, form, or agree-
5	ment if such policy, form, or agreement does not contain
6	the following provisions: "These provisions are consistent
7	with and do not supersede, conflict with, or otherwise alter
8	the employee obligations, rights, or liabilities created by
9	existing statute or Executive order relating to (1) classi-
10	fied information, (2) communications to Congress, (3) the
11	reporting to an Inspector General of a violation of any
12	law, rule, or regulation, or mismanagement, a gross waste
13	of funds, an abuse of authority, or a substantial and spe-
14	cific danger to public health or safety, or (4) any other
15	whistleblower protection. The definitions, requirements,
16	obligations, rights, sanctions, and liabilities created by
17	controlling Executive orders and statutory provisions are
18	incorporated into this agreement and are controlling.":
19	Provided, That notwithstanding the preceding provision of
20	this section, a nondisclosure policy form or agreement that
21	is to be executed by a person connected with the conduct
22	of an intelligence or intelligence-related activity, other
23	than an employee or officer of the United States Govern-
24	ment, may contain provisions appropriate to the particular
25	nativity for which such document is to be used. Such form



- 1 or agreement shall, at a minimum, require that the person
- 2 will not disclose any classified information received in the
- 3 course of such activity unless specifically authorized to do
- 4 so by the United States Government. Such nondisclosure
- 5 forms shall also make it clear that they do not bar disclo-
- 6 sures to Congress, or to an authorized official of an execu-
- 7 tive agency or the Department of Justice, that are essen-
- 8 tial to reporting a substantial violation of law.
- 9 (b) A nondisclosure agreement may continue to be
- 10 implemented and enforced notwithstanding subsection (a)
- 11 if it complies with the requirements for such agreement
- 12 that were in effect when the agreement was entered into.
- 13 (c) No funds appropriated in this or any other Act
- 14 may be used to implement or enforce any agreement en-
- 15 tered into during fiscal year 2014 which does not contain
- 16 substantially similar language to that required in sub-
- 17 section (a).
- 18 Sec. 744. None of the funds made available by this
- 19 or any other Act may be used to enter into a contract,
- 20 memorandum of understanding, or cooperative agreement
- 21 with, make a grant to, or provide a loan or loan guarantee
- 22 to, any corporation that has any unpaid Federal tax liabil-
- 23 ity that has been assessed, for which all judicial and ad-
- 24 ministrative remedies have been exhausted or have lapsed,
- 25 and that is not being paid in a timely manner pursuant



- 1 to an agreement with the authority responsible for col-
- 2 lecting the tax liability, where the awarding agency is
- 3 aware of the unpaid tax liability, unless a Federal agency
- 4 has considered suspension or debarment of the corporation
- 5 and has made a determination that this further action is
- 6 not necessary to protect the interests of the Government.
- 7 Sec. 745. None of the funds made available by this
- 8 or any other Act may be used to enter into a contract,
- 9 memorandum of understanding, or cooperative agreement
- 10 with, make a grant to, or provide a loan or loan guarantee
- 11 to, any corporation that was convicted of a felony criminal
- 12 violation under any Federal law within the preceding 24
- 13 months, where the awarding agency is aware of the convic-
- 14 tion, unless a Federal agency has considered suspension
- 15 or debarment of the corporation and has made a deter-
- 16 mination that this further action is not necessary to pro-
- 17 tect the interests of the Government.
- 18 Sec. 746. (a) During fiscal year 2019, on the date
- 19 on which a request is made for a transfer of funds in ac-
- 20 cordance with section 1017 of Public Law 111–203, the
- 21 Bureau of Consumer Financial Protection shall notify the
- 22 Committees on Appropriations of the House of Represent-
- 23 atives and the Senate, the Committee on Financial Serv-
- 24 ices of the House of Representatives, and the Committee



- 1 on Banking, Housing, and Urban Affairs of the Senate
- 2 of such request.
- 3 (b) Any notification required by this section shall be
- 4 made available on the Bureau's public Web site.
- 5 Sec. 747. If, for fiscal year 2019, new budget author-
- 6 ity provided in appropriations Acts exceeds the discre-
- 7 tionary spending limit for any category set forth in section
- 8 251(c) of the Balanced Budget and Emergency Deficit
- 9 Control Act of 1985 due to estimating differences with the
- 10 Congressional Budget Office, an adjustment to the discre-
- 11 tionary spending limit in such category for fiscal year
- 12 2019 shall be made by the Director of the Office of Man-
- 13 agement and Budget in the amount of the excess but the
- 14 total of all such adjustments shall not exceed 0.2 percent
- 15 of the sum of the adjusted discretionary spending limits
- 16 for all categories for that fiscal year.
- 17 Sec. 748. (a) The adjustment in rates of basic pay
- 18 for employees under the statutory pay systems that takes
- 19 effect in fiscal year 2019 under section 5303 of title 5,
- 20 United States Code, shall be an increase of 1.4 percent,
- 21 and the overall average percentage of the adjustments tak-
- 22 ing effect in such fiscal year under sections 5304 and
- 23 5304a of such title 5 shall be an increase of 0.5 percent
- 24 (with comparability payments to be determined and allo-
- 25 cated among pay localities by the President). All adjust-



- 1 ments under this subsection shall be effective as of the
- 2 first day of the first applicable pay period beginning on
- 3 or after January 1, 2019.
- 4 (b) Notwithstanding section 737, the adjustment in
- 5 rates of basic pay for the statutory pay systems that take
- 6 place in fiscal year 2019 under sections 5344 and 5348
- 7 of title 5, United States Code, shall be no less than the
- 8 percentages in subsection (a) as employees in the same
- 9 location whose rates of basic pay are adjusted pursuant
- 10 to the statutory pay systems under section 5303, 5304,
- 11 and 5304a of title 5, United States Code. Prevailing rate
- 12 employees at locations where there are no employees whose
- 13 pay is increased pursuant to sections 5303, 5304, and
- 14 5304a of such title 5 and prevailing rate employees de-
- 15 scribed in section 5343(a)(5) of such title 5 shall be con-
- 16 sidered to be located in the pay locality designated as
- 17 "Rest of U.S." pursuant to section 5304 of such title 5
- 18 for purposes of this subsection.
- 19 (c) Funds used to carry out this section shall be paid
- 20 from appropriations, which are made to each applicable
- 21 department or agency for salaries and expenses for fiscal
- 22 year 2019.
- Sec. 749. (a) Notwithstanding the official rate ad-
- 24 justed under section 104 of title 3, United States Code,
- 25 the rate payable to the Vice President during calendar



1	year 2019 shall be 1.9 percent above the rate payable to
2	the Vice President on December 31, 2018, as limited
3	under section 738 of division E of the Consolidated Appro-
4	priations Act, 2018 (Public Law 115–141).
5	(b) Notwithstanding the official rate adjusted under
6	section 5318 of title 5, United States Code, or any other
7	provision of law, the payable rate for an employee serving
8	in an Executive Schedule position, or in a position for
9	which the rate of pay is fixed by statute at an Executive
10	Schedule rate, shall be increased by 1.9 percent (relative
11	to the preexisting rate actually payable) at the time the
12	official rate is adjusted in January 2019. Such an em-
13	ployee may receive no other pay increase during calendar
14	year 2019, except as provided in subsection (i).
15	(c) Notwithstanding section 401 of the Foreign Serv-
16	ice Act of 1980 (Public Law 96–465) or any other provi-
17	sion of law, a chief of mission or ambassador at large is
18	subject to subsection (b) in the same manner as other em-
19	ployees who are paid at an Executive Schedule rate.
20	(d)(1) This subsection applies to—
21	(A) a noncareer appointee in the Senior
22	Executive Service paid a rate of basic pay at or
23	above the official rate for level IV of the Execu-
24	tive Schedule; or



1	(B) a limited term appointee or limited
2	emergency appointee in the Senior Executive
3	Service serving under a political appointment
4	and paid a rate of basic pay at or above the of-
5	ficial rate for level IV of the Executive Sched-
6	ule.
7	(2) Notwithstanding sections 5382 and 5383 of
8	title 5, United States Code, an employee described
9	in paragraph (1) who is serving at the time official
10	rates of the Executive Schedule are adjusted may re-
11	ceive a single increase in the employee's pay rate of
12	no more than 1.9 percent during calendar year
13	2019, subject to the normally applicable pay rules
14	and pay limitations in effect on December 31, 2013,
15	after those pay limitations are increased by 1.9 per-
16	cent (after applicable rounding). Such an employee
17	may receive no other pay increase during calendar
18	year 2019, except as provided in subsection (i).
19	(e) Notwithstanding any other provision of law, any
20	employee paid a rate of basic pay (including any locality-
21	based payments under section 5304 of title 5, United
22	States Code, or similar authority) at or above the official
23	rate for level IV of the Executive Schedule who serves
24	under a political appointment, and who is serving at the
25	time official rates of the Executive Schedule are adjusted.



- 1 may receive a single increase in the employee's pay rate
- 2 of no more than 1.9 percent during calendar year 2019,
- 3 subject to the normally applicable pay rules and pay limi-
- 4 tations in effect on December 31, 2013, after those pay
- 5 limitations are increased by 1.9 percent (after applicable
- 6 rounding). Such an employee may receive no other pay
- 7 increase during calendar year 2019, except as provided in
- 8 subsection (i). This subsection does not apply to employees
- 9 in the General Schedule pay system or the Foreign Service
- 10 pay system, to employees appointed under section 3161
- 11 of title 5, United States Code, or to employees in another
- 12 pay system whose position would be classified at GS-15
- 13 or below if chapter 51 of title 5, United States Code, ap-
- 14 plied to them.
- (f) Nothing in subsections (b) through (e) shall pre-
- 16 vent employees who do not serve under a political appoint-
- 17 ment from receiving pay increases as otherwise provided
- 18 under applicable law.
- 19 (g) This section does not apply to an individual who
- 20 makes an election to retain Senior Executive Service basic
- 21 pay under section 3392(c) of title 5, United States Code,
- 22 for such time as that election is in effect.
- 23 (h) This section does not apply to an individual who
- 24 makes an election to retain Senior Foreign Service pay
- 25 entitlements under section 302(b) of the Foreign Service



- 1 Act of 1980 (Public Law 96–465) for such time as that
- 2 election is in effect.
- 3 (i) Notwithstanding subsections (b) through (e), an
- 4 employee in a covered position may receive a pay rate in-
- 5 crease upon an authorized movement to a different cov-
- 6 ered position only if that new position has higher-level du-
- 7 ties and a pre-established level or range of pay higher than
- 8 the level or range for the position held immediately before
- 9 the movement. Any such increase must be based on the
- 10 rates of pay and applicable pay limitations in effect on
- 11 December 31, 2013, after those rates and pay limitations
- 12 are increased by 1.9 percent (after applicable rounding).
- 13 (j) Notwithstanding any other provision of law, for
- 14 an individual who is newly appointed to a covered position
- 15 during the period of time subject to this section, the initial
- 16 pay rate shall be based on the rates of pay and applicable
- 17 pay limitations in effect on December 31, 2013, after
- 18 those rates and pay limitations are increased by 1.9 per-
- 19 cent (after applicable rounding).
- 20 (k) If an employee affected by this section is subject
- 21 to a biweekly pay period that begins in calendar year 2019
- 22 but ends in calendar year 2020, the bar on the employee's
- 23 receipt of pay rate increases shall apply through the end
- 24 of that pay period.



- 1 (l) For the purpose of this section, the term "covered
- 2 position" means a position occupied by an employee whose
- 3 pay is restricted under this section.
- 4 (m) This section takes effect on the first day of the
- 5 first applicable pay period beginning on or after January
- 6 1, 2019.
- 7 Sec. 750. Except as expressly provided otherwise,
- 8 any reference to "this Act" contained in any title other
- 9 than title IV or VIII shall not apply to such title IV or
- 10 VIII.



1	TITLE VIII
2	GENERAL PROVISIONS—DISTRICT OF
3	COLUMBIA
4	(INCLUDING TRANSFERS OF FUNDS)
5	Sec. 801. There are appropriated from the applicable
6	funds of the District of Columbia such sums as may be
7	necessary for making refunds and for the payment of legal
8	settlements or judgments that have been entered against
9	the District of Columbia government.
10	Sec. 802. None of the Federal funds provided in this
11	Act shall be used for publicity or propaganda purposes or
12	implementation of any policy including boycott designed
13	to support or defeat legislation pending before Congress
14	or any State legislature.
15	Sec. 803. (a) None of the Federal funds provided
16	under this Act to the agencies funded by this Act, both
17	Federal and District government agencies, that remain
18	available for obligation or expenditure in fiscal year 2019,
19	or provided from any accounts in the Treasury of the
20	United States derived by the collection of fees available
21	to the agencies funded by this Act, shall be available for
22	obligation or expenditures for an agency through a re-
23	programming of funds which—
24	(1) creates new programs;



1	(2) eliminates a program, project, or responsi-
2	bility center;
3	(3) establishes or changes allocations specifi-
4	cally denied, limited or increased under this Act;
5	(4) increases funds or personnel by any means
6	for any program, project, or responsibility center for
7	which funds have been denied or restricted;
8	(5) re-establishes any program or project pre-
9	viously deferred through reprogramming;
10	(6) augments any existing program, project, or
11	responsibility center through a reprogramming of
12	funds in excess of \$3,000,000 or 10 percent, which-
13	ever is less; or
14	(7) increases by 20 percent or more personnel
15	assigned to a specific program, project or responsi-
16	bility center,
17	unless prior approval is received from the Committees on
18	Appropriations of the House of Representatives and the
19	Senate.
20	(b) The District of Columbia government is author-
21	ized to approve and execute reprogramming and transfer
22	requests of local funds under this title through November
23	7, 2019.
24	Sec. 804. None of the Federal funds provided in this
25	Act may be used by the District of Columbia to provide



1	for salaries, expenses, or other costs associated with the
2	offices of United States Senator or United States Rep-
3	resentative under section 4(d) of the District of Columbia
4	Statehood Constitutional Convention Initiatives of 1979
5	(D.C. Law 3–171; D.C. Official Code, sec. 1–123).
6	Sec. 805. Except as otherwise provided in this sec-
7	tion, none of the funds made available by this Act or by
8	any other Act may be used to provide any officer or em-
9	ployee of the District of Columbia with an official vehicle
10	unless the officer or employee uses the vehicle only in the
11	performance of the officer's or employee's official duties
12	For purposes of this section, the term "official duties"
13	does not include travel between the officer's or employee's
14	residence and workplace, except in the case of—
15	(1) an officer or employee of the Metropolitan
16	Police Department who resides in the District of Co-
17	lumbia or is otherwise designated by the Chief of the
18	Department;
19	(2) at the discretion of the Fire Chief, an offi-
20	cer or employee of the District of Columbia Fire and
21	Emergency Medical Services Department who re-
22	sides in the District of Columbia and is on call 24
23	hours a day;
24	(3) at the discretion of the Director of the De-
25	partment of Corrections an officer or employee of



1	the District of Columbia Department of Corrections
2	who resides in the District of Columbia and is or
3	call 24 hours a day;
4	(4) at the discretion of the Chief Medical Ex-
5	aminer, an officer or employee of the Office of the
6	Chief Medical Examiner who resides in the District
7	of Columbia and is on call 24 hours a day;
8	(5) at the discretion of the Director of the
9	Homeland Security and Emergency Management
10	Agency, an officer or employee of the Homeland Se-
11	curity and Emergency Management Agency who re-
12	sides in the District of Columbia and is on call 24
13	hours a day;
14	(6) the Mayor of the District of Columbia; and
15	(7) the Chairman of the Council of the District
16	of Columbia.
17	Sec. 806. (a) None of the Federal funds contained
18	in this Act may be used by the District of Columbia Attor-
19	ney General or any other officer or entity of the District
20	government to provide assistance for any petition drive or
21	civil action which seeks to require Congress to provide for
22	voting representation in Congress for the District of Co-
23	lumbia.
24	(b) Nothing in this section bars the District of Co-
25	lumbia Attornov General from reviewing or commenting



- 1 on briefs in private lawsuits, or from consulting with offi-
- 2 cials of the District government regarding such lawsuits.
- 3 Sec. 807. None of the Federal funds contained in
- 4 this Act may be used to distribute any needle or syringe
- 5 for the purpose of preventing the spread of blood borne
- 6 pathogens in any location that has been determined by the
- 7 local public health or local law enforcement authorities to
- 8 be inappropriate for such distribution.
- 9 Sec. 808. Nothing in this Act may be construed to
- 10 prevent the Council or Mayor of the District of Columbia
- 11 from addressing the issue of the provision of contraceptive
- 12 coverage by health insurance plans, but it is the intent
- 13 of Congress that any legislation enacted on such issue
- 14 should include a "conscience clause" which provides excep-
- 15 tions for religious beliefs and moral convictions.
- 16 Sec. 809. (a) None of the Federal funds contained
- 17 in this Act may be used to enact or carry out any law,
- 18 rule, or regulation to legalize or otherwise reduce penalties
- 19 associated with the possession, use, or distribution of any
- 20 schedule I substance under the Controlled Substances Act
- 21 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-
- 22 rivative.
- 23 (b) No funds available for obligation or expenditure
- 24 by the District of Columbia government under any author-
- 25 ity may be used to enact any law, rule, or regulation to



- 1 legalize or otherwise reduce penalties associated with the
- 2 possession, use, or distribution of any schedule I substance
- 3 under the Controlled Substances Act (21 U.S.C. 801 et
- 4 seq.) or any tetrahydrocannabinols derivative for rec-
- 5 reational purposes.
- 6 Sec. 810. No funds available for obligation or ex-
- 7 penditure by the District of Columbia government under
- 8 any authority shall be expended for any abortion except
- 9 where the life of the mother would be endangered if the
- 10 fetus were carried to term or where the pregnancy is the
- 11 result of an act of rape or incest.
- 12 Sec. 811. (a) No later than 30 calendar days after
- 13 the date of the enactment of this Act, the Chief Financial
- 14 Officer for the District of Columbia shall submit to the
- 15 appropriate committees of Congress, the Mayor, and the
- 16 Council of the District of Columbia, a revised appropriated
- 17 funds operating budget in the format of the budget that
- 18 the District of Columbia government submitted pursuant
- 19 to section 442 of the District of Columbia Home Rule Act
- 20 (D.C. Official Code, sec. 1–204.42), for all agencies of the
- 21 District of Columbia government for fiscal year 2019 that
- 22 is in the total amount of the approved appropriation and
- 23 that realigns all budgeted data for personal services and
- 24 other-than-personal services, respectively, with anticipated
- 25 actual expenditures.



- 1 (b) This section shall apply only to an agency for
- 2 which the Chief Financial Officer for the District of Co-
- 3 lumbia certifies that a reallocation is required to address
- 4 unanticipated changes in program requirements.
- 5 Sec. 812. No later than 30 calendar days after the
- 6 date of the enactment of this Act, the Chief Financial Offi-
- 7 cer for the District of Columbia shall submit to the appro-
- 8 priate committees of Congress, the Mayor, and the Council
- 9 for the District of Columbia, a revised appropriated funds
- 10 operating budget for the District of Columbia Public
- 11 Schools that aligns schools budgets to actual enrollment.
- 12 The revised appropriated funds budget shall be in the for-
- 13 mat of the budget that the District of Columbia govern-
- 14 ment submitted pursuant to section 442 of the District
- 15 of Columbia Home Rule Act (D.C. Official Code, sec. 1-
- 16 204.42).
- 17 Sec. 813. (a) Amounts appropriated in this Act as
- 18 operating funds may be transferred to the District of Co-
- 19 lumbia's enterprise and capital funds and such amounts,
- 20 once transferred, shall retain appropriation authority con-
- 21 sistent with the provisions of this Act.
- 22 (b) The District of Columbia government is author-
- 23 ized to reprogram or transfer for operating expenses any
- 24 local funds transferred or reprogrammed in this or the
- 25 four prior fiscal years from operating funds to capital



- 1 funds, and such amounts, once transferred or repro-
- 2 grammed, shall retain appropriation authority consistent
- 3 with the provisions of this Act.
- 4 (c) The District of Columbia government may not
- 5 transfer or reprogram for operating expenses any funds
- 6 derived from bonds, notes, or other obligations issued for
- 7 capital projects.
- 8 Sec. 814. None of the Federal funds appropriated
- 9 in this Act shall remain available for obligation beyond
- 10 the current fiscal year, nor may any be transferred to
- 11 other appropriations, unless expressly so provided herein.
- 12 Sec. 815. Except as otherwise specifically provided
- 13 by law or under this Act, not to exceed 50 percent of unob-
- 14 ligated balances remaining available at the end of fiscal
- 15 year 2019 from appropriations of Federal funds made
- 16 available for salaries and expenses for fiscal year 2019 in
- 17 this Act, shall remain available through September 30,
- 18 2020, for each such account for the purposes authorized:
- 19 Provided, That a request shall be submitted to the Com-
- 20 mittees on Appropriations of the House of Representatives
- 21 and the Senate for approval prior to the expenditure of
- 22 such funds: Provided further, That these requests shall be
- 23 made in compliance with reprogramming guidelines out-
- 24 lined in section 803 of this Act.



1	Sec. 816. (a)(1) During fiscal year 2020, during a
2	period in which neither a District of Columbia continuing
3	resolution or a regular District of Columbia appropriation
4	bill is in effect, local funds are appropriated in the amount
5	provided for any project or activity for which local funds
6	are provided in the Act referred to in paragraph (2) (sub-
7	ject to any modifications enacted by the District of Colum-
8	bia as of the beginning of the period during which this
9	subsection is in effect) at the rate set forth by such Act.
10	(2) The Act referred to in this paragraph is the Act
11	of the Council of the District of Columbia pursuant to
12	which a proposed budget is approved for fiscal year 2020
13	which (subject to the requirements of the District of Co-
14	lumbia Home Rule Act) will constitute the local portion
15	of the annual budget for the District of Columbia govern-
16	ment for fiscal year 2020 for purposes of section 446 of
17	the District of Columbia Home Rule Act (sec. 1–204.46, $$
18	D.C. Official Code).
19	(b) Appropriations made by subsection (a) shall cease
20	to be available—
21	(1) during any period in which a District of Co-
22	lumbia continuing resolution for fiscal year 2020 is
23	in effect; or



1	(2) upon the enactment into law of the regular
2	District of Columbia appropriation bill for fiscal year
3	2020.
4	(c) An appropriation made by subsection (a) is pro-
5	vided under the authority and conditions as provided
6	under this Act and shall be available to the extent and
7	in the manner that would be provided by this Act.
8	(d) An appropriation made by subsection (a) shall
9	cover all obligations or expenditures incurred for such
10	project or activity during the portion of fiscal year 2020
11	for which this section applies to such project or activity
12	(e) This section shall not apply to a project or activity
13	during any period of fiscal year 2020 if any other provi-
14	sion of law (other than an authorization of appropria-
15	tions)—
16	(1) makes an appropriation, makes funds avail-
17	able, or grants authority for such project or activity
18	to continue for such period; or
19	(2) specifically provides that no appropriation
20	shall be made, no funds shall be made available, or
21	no authority shall be granted for such project or ac-
22	tivity to continue for such period.
23	(f) Nothing in this section shall be construed to affect
24	obligations of the government of the District of Columbia
25	mandated by other law.



1	Sec. 817. Section 3(c)(2)(G) of the District of Co-
2	lumbia College Access Act of 1999 (Public Law 106–98;
3	sec. 38–2702(c)(2)(G), D.C. Official Code) is amended—
4	(1) in clause (i), by striking "and" after
5	"\$1,000,000" and inserting a semicolon;
6	(2) in clause (ii)—
7	(A) by inserting "but before school year
8	2019–2020" after "in or after school year
9	2016–2017"; and
10	(B) by striking the period at the end and
11	inserting "; and; and
12	(3) by adding at the end the following:
13	"(iii) For individuals who begin an
14	undergraduate course of study in or after
15	school year 2019–2020, is from a family
16	with a taxable annual income of less than
17	\$500,000. Beginning with school year
18	2020–2021, the Mayor shall adjust the
19	amount in the previous sentence for infla-
20	tion, as measured by the percentage in-
21	crease, if any, from the preceding fiscal
22	year in the Consumer Price Index for All
23	Urban Consumers, published by the Bu-
24	reau of Labor Statistics of the Department
25	of Labor "



- 1 Sec. 818. Except as expressly provided otherwise,
- 2 any reference to "this Act" contained in this title or in
- 3 title IV shall be treated as referring only to the provisions
- 4 of this title or of title IV.
- 5 This division may be cited as the "Financial Services
- 6 and General Government Appropriations Act, 2019".



1	DIVISION D—DEPARTMENT OF HOME-
2	LAND SECURITY APPROPRIATIONS
3	ACT, 2019
4	TITLE I
5	DEPARTMENTAL MANAGEMENT, OPERATIONS,
6	INTELLIGENCE, AND OVERSIGHT
7	OFFICE OF THE SECRETARY AND EXECUTIVE
8	MANAGEMENT
9	OPERATIONS AND SUPPORT
10	For necessary expenses of the Office of the Secretary
11	and for executive management for operations and support,
12	131,890,000: Provided, That not to exceed $30,000$ shall
13	be for official reception and representation expenses: $Pro-$
14	vided further, That of the funds provided under this head-
15	ing, $$13,000,000$ shall be withheld from obligation until
16	the Secretary complies with section 106 of this Act and
17	\$13,000,000 shall be withheld from obligation until the
18	Secretary provides the first report on border apprehen-
19	sions required under this heading by the report accom-
20	panying this Act.
21	Management Directorate
22	OPERATIONS AND SUPPORT
23	For necessary expenses of the Management Direc-
24	torate for operations and support, \$1,063,975,000: Pro-



1	vided, That not to exceed \$2,000 shall be for official recep-
2	tion and representation expenses.

- 3 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
- 4 (INCLUDING TRANSFER OF FUNDS)
- 5 For necessary expenses of the Management Direc-
- 6 torate for procurement, construction, and improvements,
- 7 \$157,171,000, to remain available until September 30,
- 8 2020, of which \$72,000,000 shall be derived by transfer
- 9 from unobligated balances from prior year appropriations
- 10 available under the heading "Disaster Relief Fund": Pro-
- 11 vided, That no amounts may be transferred from unobli-
- 12 gated balances that were designated by the Congress as
- 13 an emergency requirement pursuant to the Concurrent
- 14 Resolution on the Budget or the Balanced Budget and
- 15 Emergency Deficit Control Act of 1985 or as being for
- 16 disaster relief pursuant to section 251(b)(2)(D) of the
- 17 Balanced Budget and Emergency Deficit Control Act of
- 18 1985.
- 19 RESEARCH AND DEVELOPMENT
- 20 For necessary expenses of the Management Direc-
- 21 torate for research and development, \$2,545,000, to re-
- 22 main available until September 30, 2020.

1	Intelligence, Analysis, and Operations
2	COORDINATION
3	OPERATIONS AND SUPPORT
4	For necessary expenses of the Office of Intelligence
5	and Analysis and the Office of Operations Coordination
6	for operations and support, \$253,253,000, of which
7	\$78,299,000 shall remain available until September 30,
8	2020: Provided, That not to exceed \$3,825 shall be for
9	official reception and representation expenses and not to
10	exceed \$2,000,000 is available for facility needs associated
11	with secure space at fusion centers, including improve-
12	ments to buildings.
13	OFFICE OF INSPECTOR GENERAL
14	OPERATIONS AND SUPPORT
15	For necessary expenses of the Office of Inspector
16	General for operations and support, \$168,000,000: Pro-
17	vided, That not to exceed \$300,000 may be used for cer-
18	tain confidential operational expenses, including the pay-
19	ment of informants, to be expended at the direction of the
20	Inspector General.
21	Administrative Provisions
22	Sec. 101. Not later than 30 days after the last day
23	of each month, the Chief Financial Officer of the Depart-
24	ment of Homeland Security shall submit to the Commit-
25	tees on Appropriations of the Senate and the House of



- 1 Representatives a monthly budget and staffing report that
- 2 includes total obligations of the Department for that
- 3 month and for the fiscal year at the appropriation and
- 4 program, project, and activity levels, by the source year
- 5 of the appropriation.
- 6 Sec. 102. (a) Notwithstanding Section 518 of Divi-
- 7 sion F of the Consolidated Appropriations Act, 2016
- 8 (Public Law 114–113), the Secretary of Homeland Secu-
- 9 rity shall submit a report not later than October 15, 2019,
- 10 to the Inspector General of the Department of Homeland
- 11 Security listing all grants and contracts awarded by any
- 12 means other than full and open competition during fiscal
- 13 years 2018 and 2019.
- 14 (b) The Inspector General shall review the report re-
- 15 quired by subsection (a) to assess departmental compli-
- 16 ance with applicable laws and regulations and report the
- 17 results of that review to the Committees on Appropriations
- 18 of the Senate and the House of Representatives not later
- 19 than February 15, 2020.
- 20 Sec. 103. The Secretary of Homeland Security shall
- 21 require that all contracts of the Department of Homeland
- 22 Security that provide award fees link such fees to success-
- 23 ful acquisition outcomes, which shall be specified in terms
- 24 of cost, schedule, and performance.



- 1 Sec. 104. The Secretary of Homeland Security, in
- 2 consultation with the Secretary of the Treasury, shall no-
- 3 tify the Committees on Appropriations of the Senate and
- 4 the House of Representatives of any proposed transfers
- 5 of funds available under section 9705(g)(4)(B) of title 31,
- 6 United States Code (as added by Public Law 102–393)
- 7 from the Department of the Treasury Forfeiture Fund to
- 8 any agency within the Department of Homeland Security:
- 9 Provided, That none of the funds identified for such a
- 10 transfer may be obligated until the Committees on Appro-
- 11 priations of the Senate and the House of Representatives
- 12 are notified of the proposed transfers.
- 13 Sec. 105. All official costs associated with the use
- 14 of Government aircraft by Department of Homeland Secu-
- 15 rity personnel to support official travel of the Secretary
- 16 and the Deputy Secretary shall be paid from amounts
- 17 made available for the Office of the Secretary.
- 18 Sec. 106. (a) Not later than 30 days after the date
- 19 of enactment of this Act, the Secretary of Homeland Secu-
- 20 rity shall submit to the Committees on Appropriations of
- 21 the Senate and the House of Representatives, the Commit-
- 22 tees on the Judiciary of the Senate and the House of Rep-
- 23 resentatives, the Committee on Homeland Security and
- 24 Governmental Affairs of the Senate, and the Committee
- 25 on Homeland Security of the House of Representatives,



1	a report for fiscal year 2018 on visa overstay data by
2	country as required by section 1376 of title 8, United
3	States Code: Provided, That the report on visa overstay
4	data shall also include—
5	(1) overstays from all nonimmigrant visa cat-
6	egories under the immigration laws, delineated by
7	each of the classes and sub-classes of such cat-
8	egories; and
9	(2) numbers as well as rates of overstays for
10	each class and sub-class of such nonimmigrant cat-
11	egories on a per-country basis.
12	(b) The Secretary of Homeland Security shall publish
13	on the Department's website the metrics developed to
14	measure the effectiveness of security between the ports of
15	entry, including the methodology and data supporting the
16	resulting measures.



1	TITLE II
2	SECURITY, ENFORCEMENT, AND
3	INVESTIGATIONS
4	U.S. Customs and Border Protection
5	OPERATIONS AND SUPPORT
6	For necessary expenses of U.S. Customs and Border
7	Protection for operations and support, including the trans-
8	portation of unaccompanied minor aliens; the provision of
9	air and marine support to Federal, State, and local agen-
10	cies in the enforcement or administration of laws enforced
11	by the Department of Homeland Security; at the discre-
12	tion of the Secretary of Homeland Security, the provision
13	of such support to Federal, State, and local agencies in
14	other law enforcement and emergency humanitarian ef-
15	forts; the purchase and lease of up to 7,500 (6,500 for
16	replacement only) police-type vehicles; the purchase, main-
17	tenance, or operation of marine vessels, aircraft, and un-
18	manned aerial systems; and contracting with individuals
19	for personal services abroad; \$12,289,046,000; of which
20	\$3,274,000 shall be derived from the Harbor Maintenance
21	Trust Fund for administrative expenses related to the col-
22	lection of the Harbor Maintenance Fee pursuant to section
23	9505(c)(3) of the Internal Revenue Code of 1986 (26)
24	U.S.C. 9505(c)(3)) and notwithstanding section
25	1511(a)(1) of the Hamaland Security Act of 2002 (6



- 1 U.S.C. 551(e)(1)); of which \$1,555,887,000 shall be avail-
- 2 able until September 30, 2020; and of which such sums
- 3 as become available in the Customs User Fee Account, ex-
- 4 cept sums subject to section 13031(f)(3) of the Consoli-
- 5 dated Omnibus Budget Reconciliation Act of 1985 (19
- 6 U.S.C. 58c(f)(3)), shall be derived from that account: *Pro-*
- 7 vided, That not to exceed \$34,425 shall be for official re-
- 8 ception and representation expenses: Provided further,
- 9 That not to exceed \$150,000 shall be available for pay-
- 10 ment for rental space in connection with preclearance op-
- 11 erations: Provided further, That not to exceed \$1,000,000
- 12 shall be for awards of compensation to informants, to be
- 13 accounted for solely under the certificate of the Secretary
- 14 of Homeland Security: Provided further, That of the
- 15 amount provided under this heading, \$325,465,000 is des-
- 16 ignated by the Congress as an emergency requirement
- 17 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
- 18 et and Emergency Deficit Control Act of 1985.
- 19 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
- 20 For necessary expenses of U.S. Customs and Border
- 21 Protection for procurement, construction, and improve-
- 22 ments, including procurements to buy marine vessels, air-
- 23 craft, and unmanned aerial systems, \$7,334,672,000, of
- 24 which \$193,326,000 shall remain available until Sep-
- 25 tember 30, 2021, and of which \$7,141,346,000 shall re-



- 1 main available until September 30, 2023, of which
- 2 \$5,700,000,000 shall be available for purposes authorized
- 3 by section 102 of the Illegal Immigration Reform and Im-
- 4 migrant Responsibility Act of 1996 (Public Law 104–208)
- 5 as amended by section 564 of the Consolidated Appropria-
- 6 tions Act, 2008 (Public Law 110-161), to include activi-
- 7 ties authorized under section 1103(b) of title 8, United
- 8 States Code: Provided, That the conditions set forth in
- 9 subsections (b) and (c) of section 230 of division F of the
- 10 Consolidated Appropriations Act, 2018 (Public Law 115–
- 11 141) shall apply during fiscal year 2019 to the amounts
- 12 made available in the clause preceding this proviso: Pro-
- 13 vided further, That not later than 180 days after the date
- 14 of the enactment of this Act, the Secretary of Homeland
- 15 Security shall submit to the Committee on Appropriations
- 16 of the Senate, the Committee on Appropriations of the
- 17 House of Representatives, and the Comptroller General of
- 18 the United States an updated risk-based plan for improv-
- 19 ing security along the borders of the United States that
- 20 includes the elements required under subsection (a) of sec-
- 21 tion 231 of division F of the Consolidated Appropriations
- 22 Act, 2018 (Public Law 115–141), which shall be evaluated
- 23 in accordance with subsection (b) of such section: Provided
- 24 further, That funds provided under this heading may be
- 25 used for roads, lighting, cameras, and sensors: Provided



1 further, That of the amount provided under this head	1	further,	That	of	the	amount	provided	under	this	headii
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- 2 \$4,332,374,000 is designated by the Congress as an emer-
- 3 gency requirement pursuant to section 251(b)(2)(A)(i) of
- 4 the Balanced Budget and Emergency Deficit Control Act
- 5 of 1985.
- 6 U.S. Immigration and Customs Enforcement
- 7 OPERATIONS AND SUPPORT
- 8 For necessary expenses of U.S. Immigration and
- 9 Customs Enforcement for operations and support, includ-
- 10 ing the purchase and lease of up to 3,790 (2,350 for re-
- 11 placement only) police-type vehicles; overseas vetted units;
- 12 and maintenance, minor construction, and minor leasehold
- 13 improvements at owned and leased facilities;
- 14 \$8,447,855,000; of which \$6,000,000 shall remain avail-
- 15 able until expended to enforce laws against forced child
- 16 labor; of which \$13,700,000 shall remain available until
- 17 September 30, 2020; of which not less than \$15,000,000
- 18 shall be available for investigation of intellectual property
- 19 rights violations, including operation of the National Intel-
- 20 lectual Property Rights Coordination Center; of which not
- 21 less than \$9,000,000 shall be available for facilities repair
- 22 and maintenance projects; of which not less than
- 23 \$84,000,000 shall be available for vehicle fleet recapital-
- 24 ization; and of which not less than \$4,989,158,000 shall
- 25 be for enforcement, detention, and removal operations, in-



- 1 cluding transportation of unaccompanied minor aliens:
- 2 Provided, That not to exceed \$11,475 shall be for official
- 3 reception and representation expenses: Provided further,
- 4 That not to exceed \$10,000,000 shall be available until
- 5 expended for conducting special operations under section
- 6 3131 of the Customs Enforcement Act of 1986 (19 U.S.C.
- 7 2081): Provided further, That not to exceed \$2,000,000
- 8 shall be for awards of compensation to informants, to be
- 9 accounted for solely under the certificate of the Secretary
- 10 of Homeland Security: Provided further, That not to ex-
- 11 ceed \$11,216,000 shall be available to fund or reimburse
- 12 other Federal agencies for the costs associated with the
- 13 care, maintenance, and repatriation of smuggled aliens un-
- 14 lawfully present in the United States: Provided further,
- 15 That of the amount provided under this heading,
- 16 \$902,936,000 is designated by the Congress as an emer-
- 17 gency requirement pursuant to section 251(b)(2)(A)(i) of
- 18 the Balanced Budget and Emergency Deficit Control Act
- 19 of 1985.
- 20 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
- 21 For necessary expenses of U.S. Immigration and
- 22 Customs Enforcement for procurement, construction, and
- 23 improvements, \$70,431,000, to remain available until Sep-
- 24 tember 30, 2021; of which not less than \$10,000,000 shall
- 25 be available for facilities repair and maintenance projects.



1	Transportation Security Administration
2	OPERATIONS AND SUPPORT
3	For necessary expenses of the Transportation Secu-
4	rity Administration for operations and support
5	\$7,302,455,000, to remain available until September 30
6	2020: Provided, That not to exceed \$7,650 shall be for
7	official reception and representation expenses: Provided
8	further, That security service fees authorized under section
9	44940 of title 49, United States Code, shall be credited
10	to this appropriation as offsetting collections and shall be
11	available only for aviation security: Provided further, That
12	the sum appropriated under this heading from the general
13	fund shall be reduced on a dollar-for-dollar basis as such
14	offsetting collections are received during fiscal year 2019
15	so as to result in a final fiscal year appropriation from
16	the general fund estimated at not more than
17	\$4,632,455,000.
18	PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
19	For necessary expenses of the Transportation Secu-
20	rity Administration for procurement, construction, and
21	improvements, \$189,629,000, to remain available until
22	September 30, 2021.
23	RESEARCH AND DEVELOPMENT
24	For necessary expenses of the Transportation Secu-
25	rity Administration for research and development



1	\$20,594,000, to remain available until September 30
2	2020.
3	Coast Guard
4	OPERATIONS AND SUPPORT
5	For necessary expenses for the operations and sup
6	port of the Coast Guard, not otherwise provided for; pur
7	chase or lease of not to exceed 25 passenger motor vehi
8	cles, which shall be for replacement only; purchase or lease
9	of small boats for contingent and emergent requirements
10	(at a unit cost of not more than \$700,000) and repairs
11	and service-life replacements, not to exceed a total o
12	\$31,000,000; purchase or lease of boats necessary for
13	overseas deployments and activities; payments pursuant to
14	section 156 of Public Law 97–377 (42 U.S.C. 402 note
15	96 Stat. 1920); and recreation and welfare
16	\$7,792,409,000; of which \$505,000,000 shall be for de
17	fense-related activities, of which \$165,000,000 is des
18	ignated by the Congress for Overseas Contingency Oper
19	ations/Global War on Terrorism pursuant to section
20	251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21	Deficit Control Act of 1985; of which \$24,500,000 shall
22	be derived from the Oil Spill Liability Trust Fund to carry
23	out the purposes of section 1012(a)(5) of the Oil Pollution
24	Act of 1990 (33 U.S.C. 2712(a)(5)); and of which
25	\$11,000,000 shall remain available until September 30



- 1 2021: Provided, That not to exceed \$23,000 shall be for
- 2 official reception and representation expenses: Provided
- 3 further, That \$25,000,000 shall be withheld from obliga-
- 4 tion for Coast Guard Headquarters Directorates until a
- 5 future-years capital investment plan for fiscal years 2020
- 6 through 2024 is submitted to the Committees on Appro-
- 7 priations of the Senate and the House of Representatives
- 8 pursuant to section 217 of this Act.
- 9 ENVIRONMENTAL COMPLIANCE AND RESTORATION
- 10 For necessary expenses to carry out the environ-
- 11 mental compliance and restoration functions of the Coast
- 12 Guard under chapter 19 of title 14, United States Code,
- 13 \$13,429,000, to remain available until September 30,
- 14 2023.
- 15 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
- 16 For necessary expenses of the Coast Guard for pro-
- 17 curement, construction, renovation, and improvement of
- 18 aids to navigation, shore facilities (including facilities at
- 19 Department of Defense installations used by the Coast
- 20 Guard), vessels, and aircraft, including equipment related
- 21 thereto, \$2,169,260,000, to remain available until Sep-
- 22 tember 30, 2023, of which \$20,000,000 shall be derived
- 23 from the Oil Spill Liability Trust Fund to carry out the
- 24 purposes of section 1012(a)(5) of the Oil Pollution Act
- 25 of 1990 (33 U.S.C. 2712(a)(5)).



1	RESEARCH AND DEVELOPMENT
2	For necessary expenses of the Coast Guard for re-
3	search, development, test, and evaluation; and for mainte-
4	nance, rehabilitation, lease, and operation of facilities and
5	equipment; \$20,109,000, to remain available until Sep-
6	tember 30, 2021, of which $$500,000$ shall be derived from
7	the Oil Spill Liability Trust Fund to carry out the pur-
8	poses of section 1012(a)(5) of the Oil Pollution Act of
9	1990 (33 U.S.C. 2712(a)(5)): <i>Provided</i> , That there may
10	be credited to and used for the purposes of this appropria-
11	tion funds received from State and local governments,
12	other public authorities, private sources, and foreign coun-
13	tries for expenses incurred for research, development, test-
14	ing, and evaluation.
15	RETIRED PAY
16	For retired pay, including the payment of obligations
17	otherwise chargeable to lapsed appropriations for this pur-
18	pose, payments under the Retired Serviceman's Family
19	Protection and Survivor Benefits Plans, payment for ca-
20	reer status bonuses, payment of continuation pay under
21	section 356 of title 37, United States Code, concurrent
22	receipts, combat-related special compensation, and pay-
23	ments for medical care of retired personnel and their de-
24	pendents under chapter 55 of title 10 , United States Code,
25	\$1,739,844,000, to remain available until expended.



1	UNITED STATES SECRET SERVICE
2	OPERATIONS AND SUPPORT
3	For necessary expenses of the United States Secret
4	Service for operations and support, including purchase of
5	not to exceed 652 vehicles for police-type use for replace-
6	ment only; hire of passenger motor vehicles; purchase of
7	motorcycles made in the United States; hire of aircraft;
8	rental of buildings in the District of Columbia; fencing,
9	lighting, guard booths, and other facilities on private or
10	other property not in Government ownership or control,
11	as may be necessary to perform protective functions; con-
12	duct of and participation in firearms matches; presen-
13	tation of awards; conduct of behavioral research in sup-
14	port of protective intelligence and operations; payment in
15	advance for commercial accommodations as may be nec-
16	essary to perform protective functions; and payment, with-
17	out regard to section 5702 of title 5, United States Code,
18	of subsistence expenses of employees who are on protective
19	missions, whether at or away from their duty stations;
20	\$2,093,684,000; of which \$6,782,000 shall remain avail-
21	able until September 30, 2020, and of which \$6,000,000
22	shall be for a grant for activities related to investigations
23	of missing and exploited children; and of which up to
24	\$9,500,000 may be for calendar year 2018 premium pay
25	in excess of the annual equivalent of the limitation on the



- 1 rate of pay contained in section 5547(a) of title 5, United
- 2 States Code, pursuant to section 2 of the Overtime Pay
- 3 for Protective Services Act of 2016 (5 U.S.C. 5547 note),
- 4 as amended by Public Law 115-160: Provided, That not
- 5 to exceed \$19,125 shall be for official reception and rep-
- 6 resentation expenses: Provided further, That not to exceed
- 7 \$100,000 shall be to provide technical assistance and
- 8 equipment to foreign law enforcement organizations in
- 9 counterfeit investigations.
- 10 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
- 11 For necessary expenses of the United States Secret
- 12 Service for procurement, construction, and improvements,
- 13 \$83,531,000, to remain available until September 30,
- 14 2021.
- 15 RESEARCH AND DEVELOPMENT
- 16 For necessary expenses of the United States Secret
- 17 Service for research and development, \$2,500,000, to re-
- 18 main available until September 30, 2020.
- 19 Administrative Provisions
- Sec. 201. (a) For fiscal year 2019, the overtime limi-
- 21 tation prescribed in section 5(c)(1) of the Act of February
- 22 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$45,000; and not-
- 23 withstanding any other provision of law, none of the funds
- 24 appropriated by this Act shall be available to compensate
- 25 any employee of U.S. Customs and Border Protection for



- 1 overtime, from whatever source, in an amount that ex-
- 2 ceeds such limitation, except in individual cases deter-
- 3 mined by the Secretary of Homeland Security, or the des-
- 4 ignee of the Secretary, to be necessary for national secu-
- 5 rity purposes, to prevent excessive costs, or in cases of
- 6 immigration emergencies.
- 7 (b) None of the funds made available by this Act for
- 8 the following accounts shall be available to compensate
- 9 any employee for overtime in an annual amount in excess
- 10 of \$45,000:
- 11 (1) "U.S. Immigration and Customs Enforce-
- ment—Operations and Support", except that the
- 13 Secretary of Homeland Security, or the designee of
- the Secretary, may waive such amount as necessary
- for national security purposes and in cases of immi-
- 16 gration emergencies.
- 17 (2) "United States Secret Service—Operations
- and Support", except that the Secretary of Home-
- 19 land Security, or the designee of the Secretary, may
- 20 waive such amount as necessary for national security
- 21 purposes.
- Sec. 202. Funding made available under the heading
- 23 "U.S. Customs and Border Protection—Operations and
- 24 Support" and "U.S. Customs and Border Protection-
- 25 Procurement, Construction, and Improvements" shall be



- 1 available for customs expenses when necessary to maintain
- 2 operations and prevent adverse personnel actions in Puer-
- 3 to Rico in addition to funding provided by 48 U.S.C. 740.
- 4 Sec. 203. As authorized by section 601(b) of the
- 5 United States-Colombia Trade Promotion Agreement Im-
- 6 plementation Act (Public Law 112-42), fees collected
- 7 from passengers arriving from Canada, Mexico, or an ad-
- 8 jacent island pursuant to section 13031(a)(5) of the Con-
- 9 solidated Omnibus Budget Reconciliation Act of 1985 (19
- 10 U.S.C. 58c(a)(5)) shall be available until expended.
- 11 Sec. 204. For an additional amount for "U.S. Cus-
- 12 toms and Border Protection—Operations and Support",
- 13 \$31,000,000, to remain available until expended, to be re-
- 14 duced by amounts collected and credited to this appropria-
- 15 tion in fiscal year 2019 from amounts authorized to be
- 16 collected by section 286(i) of the Immigration and Nation-
- 17 ality Act (8 U.S.C. 1356(i)), section 10412 of the Farm
- 18 Security and Rural Investment Act of 2002 (7 U.S.C.
- 19 8311), and section 817 of the Trade Facilitation and
- 20 Trade Enforcement Act of 2015 (Public Law 114–25), or
- 21 other such authorizing language: Provided, That to the ex-
- 22 tent that amounts realized from such collections exceed
- 23 \$31,000,000, those amounts in excess of \$31,000,000
- 24 shall be credited to this appropriation, to remain available
- 25 until expended.



1	SEC.	205.	None	of t	the	funds	made	availa	ıble ii	n this
2	Act for U	.S. Cı	ıstoms	and	В	order	Protec	tion m	ay be	used

- 3 to prevent an individual not in the business of importing
- 4 a prescription drug (within the meaning of section 801(g)
- 5 of the Federal Food, Drug, and Cosmetic Act) from im-
- 6 porting a prescription drug from Canada that complies
- 7 with the Federal Food, Drug, and Cosmetic Act: Provided,
- 8 That this section shall apply only to individuals trans-
- 9 porting on their person a personal-use quantity of the pre-
- 10 scription drug, not to exceed a 90-day supply: Provided
- 11 further, That the prescription drug may not be—
- 12 (1) a controlled substance, as defined in section
- 13 102 of the Controlled Substances Act (21 U.S.C.
- 14 802); or
- 15 (2) a biological product, as defined in section
- 16 351 of the Public Health Service Act (42 U.S.C.
- 17 262).
- 18 Sec. 206. Notwithstanding any other provision of
- 19 law, none of the funds provided in this or any other Act
- 20 shall be used to approve a waiver of the navigation and
- 21 vessel-inspection laws pursuant to section 501(b) of title
- 22 46, United States Code, for the transportation of crude
- 23 oil distributed from and to the Strategic Petroleum Re-
- 24 serve until the Secretary of Homeland Security, after con-
- 25 sultation with the Secretaries of the Departments of En-



- 1 ergy and Transportation and representatives from the
- 2 United States flag maritime industry, takes adequate
- 3 measures to ensure the use of United States flag vessels:
- 4 Provided, That the Secretary shall notify the Committees
- 5 on Appropriations of the Senate and the House of Rep-
- 6 resentatives, the Committee on Commerce, Science, and
- 7 Transportation of the Senate, and the Committee on
- 8 Transportation and Infrastructure of the House of Rep-
- 9 resentatives within 2 business days of any request for
- 10 waivers of navigation and vessel-inspection laws pursuant
- 11 to section 501(b) of title 46, United States Code, with re-
- 12 spect to such transportation, and the disposition of such
- 13 requests.
- 14 Sec. 207. (a) Beginning on the date of enactment
- 15 of this Act, the Secretary of Homeland Security shall
- 16 not—
- 17 (1) establish, collect, or otherwise impose any
- 18 new border crossing fee on individuals crossing the
- 19 Southern border or the Northern border at a land
- 20 port of entry; or
- 21 (2) conduct any study relating to the imposition
- of a border crossing fee.
- (b) In this section, the term "border crossing fee"
- 24 means a fee that every pedestrian, cyclist, and driver and
- 25 passenger of a private motor vehicle is required to pay



- 1 for the privilege of crossing the Southern border or the
- 2 Northern border at a land port of entry.
- 3 Sec. 208. Without regard to the limitation as to time
- 4 and condition of section 503(d) of this Act, the Secretary
- 5 may reprogram within and transfer funds to "U.S. Immi-
- 6 gration and Customs Enforcement—Operations and Sup-
- 7 port" as necessary to ensure the detention of aliens
- 8 prioritized for removal.
- 9 Sec. 209. None of the funds provided under the
- 10 heading "U.S. Immigration and Customs Enforcement—
- 11 Operations and Support" may be used to continue a dele-
- 12 gation of law enforcement authority authorized under sec-
- 13 tion 287(g) of the Immigration and Nationality Act (8
- 14 U.S.C. 1357(g)) if the Department of Homeland Security
- 15 Inspector General determines that the terms of the agree-
- 16 ment governing the delegation of authority have been ma-
- 17 terially violated.
- 18 Sec. 210. None of the funds provided under the
- 19 heading "U.S. Immigration and Customs Enforcement—
- 20 Operations and Support" may be used to continue any
- 21 contract for the provision of detention services if the two
- 22 most recent overall performance evaluations received by
- 23 the contracted facility are less than "adequate" or the
- 24 equivalent median score in any subsequent performance
- 25 evaluation system.



- 1 Sec. 211. Members of the United States House of
- 2 Representatives and the United States Senate, including
- 3 the leadership; the heads of Federal agencies and commis-
- 4 sions, including the Secretary, Deputy Secretary, Under
- 5 Secretaries, and Assistant Secretaries of the Department
- 6 of Homeland Security; the United States Attorney Gen-
- 7 eral, Deputy Attorney General, Assistant Attorneys Gen-
- 8 eral, and the United States Attorneys; and senior mem-
- 9 bers of the Executive Office of the President, including
- 10 the Director of the Office of Management and Budget,
- 11 shall not be exempt from Federal passenger and baggage
- 12 screening.
- 13 Sec. 212. Any award by the Transportation Security
- 14 Administration to deploy explosives detection systems
- 15 shall be based on risk, the airport's current reliance on
- 16 other screening solutions, lobby congestion resulting in in-
- 17 creased security concerns, high injury rates, airport readi-
- 18 ness, and increased cost effectiveness.
- 19 Sec. 213. Notwithstanding section 44923 of title 49,
- 20 United States Code, for fiscal year 2019, any funds in
- 21 the Aviation Security Capital Fund established by section
- 22 44923(h) of title 49, United States Code, may be used
- 23 for the procurement and installation of explosives detec-
- 24 tion systems or for the issuance of other transaction agree-



- 1 ments for the purpose of funding projects described in sec-
- 2 tion 44923(a) of such title.
- 3 Sec. 214. None of the funds made available by this
- 4 or any other Act may be used by the Administrator of
- 5 the Transportation Security Administration to implement,
- 6 administer, or enforce, in abrogation of the responsibility
- 7 described in section 44903(n)(1) of title 49, United States
- 8 Code, any requirement that airport operators provide air-
- 9 port-financed staffing to monitor exit points from the ster-
- 10 ile area of any airport at which the Transportation Secu-
- 11 rity Administration provided such monitoring as of De-
- 12 cember 1, 2013.
- 13 Sec. 215. None of the funds made available by this
- 14 Act under the heading "Coast Guard-Operations and
- 15 Support" shall be for expenses incurred for recreational
- 16 vessels under section 12114 of title 46, United States
- 17 Code, except to the extent fees are collected from owners
- 18 of yachts and credited to the appropriation made available
- 19 by this Act under the heading "Coast Guard—Operations
- 20 and Support": Provided, That to the extent such fees are
- 21 insufficient to pay expenses of recreational vessel docu-
- 22 mentation under such section 12114, and there is a back-
- 23 log of recreational vessel applications, personnel per-
- 24 forming non-recreational vessel documentation functions
- 25 under subchapter II of chapter 121 of title 46, United



- 1 States Code, may perform documentation under section
- 2 12114.
- 3 Sec. 216. Without regard to the limitation as to time
- 4 and condition of section 503(d) of this Act, after June
- 5 30, up to \$10,000,000 may be reprogrammed to or from
- 6 the Military Pay and Allowances funding category within
- 7 "Coast Guard—Operations and Support" in accordance
- 8 with subsection (a) of section 503 of this Act.
- 9 Sec. 217. Notwithstanding any other provision of
- 10 law, the Commandant of the Coast Guard shall submit
- 11 to the Committees on Appropriations of the Senate and
- 12 the House of Representatives a future-years capital invest-
- 13 ment plan as described in the second proviso under the
- 14 heading "Coast Guard—Acquisition, Construction, and
- 15 Improvements" in the Department of Homeland Security
- 16 Appropriations Act, 2015 (Public Law 114-4), which shall
- 17 be subject to the requirements in the third and fourth pro-
- 18 visos under such heading.
- 19 Sec. 218. None of the funds in this Act shall be used
- 20 to reduce the Coast Guard's Operations Systems Center
- 21 mission or its government-employed or contract staff lev-
- 22 els.
- Sec. 219. None of the funds appropriated by this Act
- 24 may be used to conduct, or to implement the results of,
- 25 a competition under Office of Management and Budget



- 1 Circular A–76 for activities performed with respect to the
- 2 Coast Guard National Vessel Documentation Center.
- 3 Sec. 220. Funds made available in this Act may be
- 4 used to alter operations within the Civil Engineering Pro-
- 5 gram of the Coast Guard nationwide, including civil engi-
- 6 neering units, facilities design and construction centers,
- 7 maintenance and logistics commands, and the Coast
- 8 Guard Academy, except that none of the funds provided
- 9 in this Act may be used to reduce operations within any
- 10 civil engineering unit unless specifically authorized by a
- 11 statute enacted after the date of enactment of this Act.
- 12 Sec. 221. Funds made available for Overseas Contin-
- 13 gency Operations/Global War on Terrorism under the
- 14 heading "Coast Guard—Operations and Support" may be
- 15 allocated by program, project, and activity, notwith-
- 16 standing section 503 of this Act.
- 17 Sec. 222. The United States Secret Service is au-
- 18 thorized to obligate funds in anticipation of reimburse-
- 19 ments from Federal agencies and entities, as defined in
- 20 section 105 of title 5, United States Code, for personnel
- 21 receiving training sponsored by the James J. Rowley
- 22 Training Center, except that total obligations at the end
- 23 of the fiscal year shall not exceed total budgetary re-
- 24 sources available under the heading "United States Secret



- 1 Service—Operations and Support" at the end of the fiscal
- 2 year.
- 3 Sec. 223. None of the funds made available to the
- 4 United States Secret Service by this Act or by previous
- 5 appropriations Acts may be made available for the protec-
- 6 tion of the head of a Federal agency other than the Sec-
- 7 retary of Homeland Security: *Provided*, That the Director
- 8 of the United States Secret Service may enter into agree-
- 9 ments to provide such protection on a fully reimbursable
- 10 basis.
- 11 Sec. 224. For purposes of section 503(a)(3) of this
- 12 Act, up to \$15,000,000 may be reprogrammed within
- 13 "United States Secret Service—Operations and Support".
- 14 Sec. 225. Funding made available in this Act for
- 15 "United States Secret Service—Operations and Support"
- 16 is available for travel of United States Secret Service em-
- 17 ployees on protective missions without regard to the limi-
- 18 tations on such expenditures in this or any other Act if
- 19 the Director of the United States Secret Service or a des-
- 20 ignee notifies the Committees on Appropriations of the
- 21 Senate and the House of Representatives 10 or more days
- 22 in advance, or as early as practicable, prior to such ex-
- 23 penditures.
- 24 Sec. 226. Each amount designated in this title by
- 25 the Congress as being for an emergency requirement pur-



- 1 suant to section 251(b)(2)(A)(i) of the Balanced Budget
- 2 and Emergency Deficit Control Act of 1985 shall be avail-
- 3 able (or rescinded or transferred, if applicable) only if the
- 4 President subsequently so designates all such amounts
- 5 and transmits such designations to the Congress.



1	TITLE III
2	PROTECTION, PREPAREDNESS, RESPONSE, AND
3	RECOVERY
4	Cybersecurity and Infrastructure Security
5	AGENCY
6	OPERATIONS AND SUPPORT
7	For necessary expenses of the Cybersecurity and In-
8	frastructure Security Agency for operations and support,
9	\$1,338,437,000, of which \$18,570,000 shall remain avail-
10	able until September 30, 2020: Provided, That not to ex-
11	ceed \$3,825 shall be for official reception and representa-
12	tion expenses.
13	FEDERAL PROTECTIVE SERVICE
14	The revenues and collections of security fees credited
15	to this account shall be available until expended for nec-
16	essary expenses related to the protection of federally
17	owned and leased buildings and for the operations of the
18	Federal Protective Service.
19	PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
20	For necessary expenses of the Cybersecurity and In-
21	frastructure Security Agency for procurement, construc-
22	tion, and improvements, \$329,678,000, to remain avail-
23	able until September 30, 2020.



1	RESEARCH AND DEVELOPMENT
2	For necessary expenses of the Cybersecurity and In-
3	frastructure Security Agency for research and develop-
4	ment, \$11,126,000, to remain available until September
5	30, 2020.
6	FEDERAL EMERGENCY MANAGEMENT AGENCY
7	OPERATIONS AND SUPPORT
8	For necessary expenses of the Federal Emergency
9	Management Agency for operations and support,
0	\$1,054,838,000: <i>Provided</i> , That not to exceed \$2,250
1	shall be for official reception and representation expenses.
2	PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
3	For necessary expenses of the Federal Emergency
4	Management Agency for procurement, construction, and
5	improvements, \$128,349,000, to remain available until
6	September 30, 2021.
7	FEDERAL ASSISTANCE
8	(INCLUDING TRANSFER OF FUNDS)
9	For activities of the Federal Emergency Management
20	Agency for Federal assistance through grants, contracts,
21	cooperative agreements, and other activities,
22	\$3,022,939,000, which shall be allocated as follows:
23	(1) \$512,000,000 for the State Homeland Secu-
24	rity Grant Program under section 2004 of the
25	Homeland Security Act of 2002 (6 U.S.C. 605) of



1	which \$90,000,000 shall be for Operation
2	Stonegarden, and \$10,000,000 shall be for organiza-
3	tions (as described under section 501(c)(3) of the
4	Internal Revenue Code of 1986 and exempt from tax
5	under section 501(a) of such code) determined by
6	the Secretary of Homeland Security to be at high
7	risk of a terrorist attack: Provided, That notwith
8	standing subsection (e)(4) of such section 2004, for
9	fiscal year 2019, the Commonwealth of Puerto Ricc
10	shall make available to local and tribal governments
11	amounts provided to the Commonwealth of Puerto
12	Rico under this paragraph in accordance with sub-
13	section $(c)(1)$ of such section 2004.
14	(2) \$605,000,000 for the Urban Area Security
15	Initiative under section 2003 of the Homeland Secu-
16	rity Act of 2002 (6 U.S.C. 604), of which
17	\$25,000,000 shall be for organizations (as described
18	under section $501(c)(3)$ of the Internal Revenue
19	Code of 1986 and exempt from tax under section
20	501(a) of such code) determined by the Secretary of
21	Homeland Security to be at high risk of a terrorist
22	attack.
23	(3) \$100,000,000 for Public Transportation Se
24	curity Assistance, Railroad Security Assistance, and
25	Over the Read Rus Security Assistance under see



1	tions 1406, 1513, and 1532 of the Implementing
2	Recommendations of the 9/11 Commission Act of
3	2007 (6 U.S.C. 1135, 1163, and 1182), of which
4	\$10,000,000 shall be for Amtrak security and
5	\$2,000,000 shall be for Over-the-Road Bus Security:
6	Provided, That such public transportation security
7	assistance shall be provided directly to public trans-
8	portation agencies.
9	(4) \$100,000,000 for Port Security Grants in
10	accordance with section 70107 of title 46, United
11	States Code.
12	(5) \$700,000,000, to remain available until
13	September 30, 2020, of which $\$350,000,000$ shall be
14	for Assistance to Firefighter Grants and
15	\$350,000,000 shall be for Staffing for Adequate
16	Fire and Emergency Response Grants under sec-
17	tions 33 and 34 respectively of the Federal Fire Pre-
18	vention and Control Act of 1974 (15 U.S.C. 2229
19	and 2229a).
20	(6) \$350,000,000 for emergency management
21	performance grants under the National Flood Insur-
22	ance Act of 1968 (42 U.S.C. 4001), the Robert T.
23	Stafford Disaster Relief and Emergency Assistance
24	Act (42 U.S.C. 5121), the Earthquake Hazards Re-
25	duction Act of 1977 (42 U.S.C. 7701), section 762



1	of title 6, United States Code, and Reorganization
2	Plan No. 3 of 1978 (5 U.S.C. App.).
3	(7) \$250,000,000 for necessary expenses for
4	Flood Hazard Mapping and Risk Analysis, in addi-
5	tion to and to supplement any other sums appro-
6	priated under the National Flood Insurance Fund,
7	and such additional sums as may be provided by
8	States or other political subdivisions for cost-shared
9	mapping activities under section 1360(f)(2) of the
10	National Flood Insurance Act of 1968 (42 U.S.C.
11	4101(f)(2)), to remain available until expended.
12	(8) \$15,000,000 for Regional Catastrophic Pre-
13	paredness Grants.
14	(9) \$15,000,000 for Rehabilitation of High
15	Hazard Potential Dams under section 8A of the Na-
16	tional Dam Safety Program Act (33 U.S.C. 467f-2).
17	(10) \$100,000,000 for the emergency food and
18	shelter program under title III of the McKinney-
19	Vento Homeless Assistance Act (42 U.S.C. 11331),
20	to remain available until expended: Provided, That
21	not to exceed 3.5 percent shall be for total adminis-
22	trative costs.
23	(11) \$275,939,000 to sustain current oper-
24	ations for training, exercises, technical assistance,
25	and other programs.



1	Provided, That, of the amounts provided under this
2	heading, \$228,000,000 shall be derived by transfer
3	from unobligated balances from prior year appro-
4	priations available under the heading "Disaster Re-
5	lief Fund": Provided further, That no amounts may
6	be transferred from amounts that were designated
7	by the Congress as an emergency requirement pur-
8	suant to the Concurrent Resolution on the Budget
9	or section 251(b)(2)(A)(i) of the Balanced Budget
10	and Emergency Deficit Control Act of 1985 or as
11	being for disaster relief pursuant to section
12	251(b)(2)(D) of the Balanced Budget and Emer-
13	gency Deficit Control Act of 1985.
14	DISASTER RELIEF FUND
15	For necessary expenses in carrying out the Robert
16	T. Stafford Disaster Relief and Emergency Assistance Act
17	$(42\ \text{U.S.C.}\ 5121\ \text{et}\ \text{seq.}),\ \$15,547,000,000,\ \text{to}\ \text{remain}$
18	available until expended, of which $$14,965,000,000$ shall
19	be for major disasters declared pursuant to the Robert T.
20	Stafford Disaster Relief and Emergency Assistance Act
21	(42 U.S.C. 5121 et seq.) and is designated by the Con-
22	gress as being for disaster relief pursuant to section
23	251(b)(2)(D) of the Balanced Budget and Emergency
24	Deficit Control Act of 1985: Provided, That of the
25	amounts set aside from funds provided under this heading



- 1 pursuant to subsection (i)(1) of section 203 of the Robert
- 2 T. Stafford Disaster Relief and Emergency Assistance Act
- 3 (42 U.S.C. 5133(i)(I)), \$250,000,000 shall be available to
- 4 carry out activities for the National Predisaster Mitigation
- 5 Fund under that section of that Act (as in effect on the
- 6 day before the amendments made by section 1234 of the
- 7 Disaster Recovery Reform Act of 2018 (division D of Pub-
- 8 lie Law 115–254) took effect), in addition to any amounts
- 9 otherwise made available for such purpose by this or any
- 10 other Act and may be merged in this account for all pur-
- 11 poses with funds for the revised National Public Infra-
- 12 structure Predisaster Hazard Mitigation Assistance, as
- 13 authorized by the amendments made to section 203 of the
- 14 Robert T. Stafford Disaster Relief and Emergency Assist-
- 15 ance Act (42 U.S.C. 5133) by section 1234 of the Disaster
- 16 Recovery Reform Act of 2018 (division D of Public Law
- 17 115–254), once that assistance has been fully imple-
- 18 mented.
- 19 NATIONAL FLOOD INSURANCE FUND
- For activities under the National Flood Insurance
- 21 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
- 22 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
- 23 Biggert-Waters Flood Insurance Reform Act of 2012
- 24 (Public Law 112-141, 126 Stat. 916), and the Home-
- 25 owner Flood Insurance Affordability Act of 2014 (Public



1	Law 113-89; 128 Stat. 1020), \$201,691,000, to remain
2	available until September 30, 2020, which shall be derived
3	from offsetting amounts collected under section $1308(d)$
4	of the National Flood Insurance Act of 1968 (42 U.S.C.
5	4015(d); of which $$13,784,000$ shall be available for mis-
6	sion support associated with flood management; and of
7	which $$187,907,000$ shall be available for flood plain man-
8	agement and flood mapping: Provided, That any addi-
9	tional fees collected pursuant to section 1308(d) of the
10	National Flood Insurance Act of 1968 (42 U.S.C.
11	4015(d)) shall be credited as offsetting collections to this
12	account, to be available for flood plain management and
13	flood mapping: $Provided\ further,$ That in fiscal year 2019,
14	no funds shall be available from the National Flood Insur-
15	ance Fund under section 1310 of the National Flood In-
16	surance Act of 1968 (42 U.S.C. 4017) in excess of—
17	(1) \$176,304,000 for operating expenses and
18	salaries and expenses associated with flood insurance
19	operations;
20	(2) \$1,123,000,000 for commissions and taxes
21	of agents;
22	(3) such sums as are necessary for interest on
23	Treasury borrowings; and
24	(4) \$175,000,000, which shall remain available
25	until expended, for flood mitigation actions and for



- 1 flood mitigation assistance under section 1366 of the
- 2 National Flood Insurance Act of 1968 (42 U.S.C.
- 3 4104c), notwithstanding sections 1366(e) and
- 4 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):
- 5 Provided further, That the amounts collected under section
- 6 102 of the Flood Disaster Protection Act of 1973 (42
- 7 U.S.C. 4012a) and section 1366(e) of the National Flood
- 8 Insurance Act of 1968 shall be deposited in the National
- 9 Flood Insurance Fund to supplement other amounts speci-
- 10 fied as available for section 1366 of the National Flood
- 11 Insurance Act of 1968, notwithstanding section 102(f)(8),
- 12 section 1366(e), and paragraphs (1) through (3) of section
- 13 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e),
- 14 4104d(b)(1)-(3)): Provided further, That total administra-
- 15 tive costs shall not exceed 4 percent of the total appropria-
- 16 tion: Provided further, That up to \$5,000,000 is available
- 17 to carry out section 24 of the Homeowner Flood Insurance
- 18 Affordability Act of 2014 (42 U.S.C. 4033).
- 19 DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT
- 20 For administrative expenses to carry out the disaster
- 21 assistance direct loan program as authorized by section
- 22 417 of the Robert T. Stafford Disaster Relief and Emer-
- 23 gency Assistance Act (42 U.S.C. 5184), \$3,000,000 to re-
- 24 main available until September 30, 2020.



1	Administrative Provisions
2	Sec. 301. Notwithstanding section 2008(a)(12) of
3	the Homeland Security Act of 2002 (6 U.S.C. $609(a)(12)$)
4	or any other provision of law, not more than 5 percent
5	of the amount of a grant made available in paragraphs
6	(1) through (4) under "Federal Emergency Management
7	Agency—Federal Assistance", may be used by the grantee
8	for expenses directly related to administration of the
9	grant.
10	Sec. 302. Applications for grants under the heading
11	"Federal Emergency Management Agency—Federal As-
12	sistance", for paragraphs (1) through (4), shall be made
13	available to eligible applicants not later than 60 days after
14	the date of enactment of this Act, eligible applicants shall
15	submit applications not later than 80 days after the grant
16	announcement, and the Administrator of the Federal
17	Emergency Management Agency shall act within 65 days
18	after the receipt of an application.
19	Sec. 303. Under the heading "Federal Emergency
20	Management Agency—Federal Assistance", for grants
21	under paragraphs (1) through (4), (8), and (9), the Ad-
22	ministrator of the Federal Emergency Management Agen-
23	cy shall brief the Committees on Appropriations of the
24	Senate and the House of Representatives 5 full business



- 1 days in advance of announcing publicly the intention of
- 2 making an award.
- 3 Sec. 304. Under the heading "Federal Emergency
- 4 Management Agency—Federal Assistance", for grants
- 5 under paragraphs (1) and (2), the installation of commu-
- 6 nications towers is not considered construction of a build-
- 7 ing or other physical facility.
- 8 Sec. 305. The reporting requirements in paragraphs
- 9 (1) and (2) under the heading "Federal Emergency Man-
- 10 agement Agency—Disaster Relief Fund" in the Depart-
- 11 ment of Homeland Security Appropriations Act, 2015
- 12 (Public Law 114–4) shall be applied in fiscal year 2019
- 13 with respect to budget year 2020 and current fiscal year
- 14 2019, respectively—
- 15 (1) in paragraph (1) by substituting "fiscal
- 16 year 2020" for "fiscal year 2016"; and
- 17 (2) in paragraph (2) by inserting "business"
- 18 after "fifth".
- 19 Sec. 306. The aggregate charges assessed during fis-
- 20 cal year 2019, as authorized in title III of the Depart-
- 21 ments of Veterans Affairs and Housing and Urban Devel-
- 22 opment, and Independent Agencies Appropriations Act,
- 23 1999 (42 U.S.C. 5196e), shall not be less than 100 per-
- 24 cent of the amounts anticipated by the Department of
- 25 Homeland Security to be necessary for its Radiological



- 1 Emergency Preparedness Program for the next fiscal year:
- 2 Provided, That the methodology for assessment and collec-
- 3 tion of fees shall be fair and equitable and shall reflect
- 4 costs of providing such services, including administrative
- 5 costs of collecting such fees: Provided further, That such
- 6 fees shall be deposited in a Radiological Emergency Pre-
- 7 paredness Program account as offsetting collections and
- 8 will become available for authorized purposes on October
- 9 1, 2019, and remain available until expended.



1	TITLE IV
2	RESEARCH, DEVELOPMENT, TRAINING, AND
3	SERVICES
4	U.S. CITIZENSHIP AND IMMIGRATION SERVICES
5	OPERATIONS AND SUPPORT
6	For necessary expenses of U.S. Citizenship and Im-
7	migration Services for operations and support of the E-
8	Verify Program, \$109,081,000.
9	PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
10	For necessary expenses of U.S. Citizenship and Im-
11	migration Services for procurement, construction, and im-
12	provements of the E-Verify Program, \$22,838,000, to re-
13	main available until September 30, 2021.
14	FEDERAL LAW ENFORCEMENT TRAINING CENTERS
15	OPERATIONS AND SUPPORT
16	For necessary expenses of the Federal Law Enforce-
17	ment Training Centers for operations and support, includ-
18	ing the purchase of not to exceed 117 vehicles for police-
19	type use and hire of passenger motor vehicles, and services
20	as authorized by section 3109 of title 5, United States
21	Code, \$275,666,000, of which \$38,874,000 shall remain
22	available until September 30, 2020: Provided, That not
23	to exceed \$7,180 shall be for official reception and rep-
24	resentation expenses.



1	PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
2	For necessary expenses of the Federal Law Enforce-
3	ment Training Centers for procurement, construction, and
4	improvements, including the planning, operational devel-
5	opment, engineering, and purchases prior to sustainment
6	and for information technology-related procurement, con-
7	struction, and improvements, including non-tangible as-
8	sets of the Federal Law Enforcement Training Centers
9	\$85,577,000, to remain available until September 30
10	2023.
11	Science and Technology Directorate
12	OPERATIONS AND SUPPORT
13	For necessary expenses of the Science and Tech-
14	nology Directorate for operations and support, including
15	the purchase or lease of not to exceed 5 vehicles
16	\$308,520,000, of which \$170,462,000 shall remain avail-
17	able until September 30, 2020: Provided, That not to ex-
18	ceed \$20,000 shall be for official reception and representa-
19	tion expenses.
20	RESEARCH AND DEVELOPMENT
21	For necessary expenses of the Science and Tech-
22	nology Directorate for research and development
23	\$504,596,000, to remain available until September 30
24	2021.



1	Countering Weapons of Mass Destruction Office
2	OPERATIONS AND SUPPORT
3	For necessary expenses of the Countering Weapons
4	of Mass Destruction Office for operations and support,
5	\$181,464,000: <i>Provided</i> , That not to exceed \$2,250 shall
6	be for official reception and representation expenses.
7	PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
8	For necessary expenses of the Countering Weapons
9	of Mass Destruction Office for procurement, construction,
10	and improvements, \$100,096,000, to remain available
11	until September 30, 2021.
12	RESEARCH AND DEVELOPMENT
13	For necessary expenses of the Countering Weapons
14	of Mass Destruction Office for research and development,
15	\$83,043,000, to remain available until September 30,
16	2021.
17	FEDERAL ASSISTANCE
18	For necessary expenses of the Countering Weapons
19	of Mass Destruction Office for Federal assistance through
20	grants, contracts, cooperative agreements, and other ac-
21	tivities, \$64,663,000, to remain available until September
22	30, 2021.



1	Administrative Provisions
2	(INCLUDING TRANSFER OF FUNDS)
3	Sec. 401. Notwithstanding any other provision of
4	law, funds otherwise made available to U.S. Citizenship
5	and Immigration Services may be used to acquire, operate,
6	equip, and dispose of up to 5 vehicles, for replacement
7	only, for areas where the Administrator of General Serv-
8	ices does not provide vehicles for lease: Provided, That the
9	Director of U.S. Citizenship and Immigration Services
10	may authorize employees who are assigned to those areas
11	to use such vehicles to travel between the employees' resi-
12	dences and places of employment.
13	Sec. 402. None of the funds made available in this
14	Act may be used by U.S. Citizenship and Immigration
15	Services to grant an immigration benefit unless the results
16	of background checks required by law to be completed
17	prior to the granting of the benefit have been received by
18	U.S. Citizenship and Immigration Services, and the re-
19	sults do not preclude the granting of the benefit.
20	Sec. 403. None of the funds appropriated by this Act
21	may be used to process or approve a competition under
22	Office of Management and Budget Circular A–76 for serv-
23	ices provided by employees (including employees serving
24	on a temporary or term basis) of U.S. Citizenship and Im-
25	migration Services of the Department of Homeland Secu-



- 1 rity who are known as Immigration Information Officers,
- 2 Immigration Service Analysts, Contact Representatives,
- 3 Investigative Assistants, or Immigration Services Officers.
- 4 Sec. 404. (a) Notwithstanding section 1356(n) of
- 5 title 8, United States Code, of the funds deposited into
- 6 the Immigration Examinations Fee Account, up to
- 7 \$10,000,000 may be allocated by U.S. Citizenship and Im-
- 8 migration Services in fiscal year 2019 for the purpose of
- 9 providing an Immigrant Integration grants program.
- 10 (b) None of the funds made available to U.S. Citizen-
- 11 ship and Immigration Services for grants for immigrant
- 12 integration under subsection (a) may be used to provide
- 13 services to aliens who have not been lawfully admitted for
- 14 permanent residence.
- 15 Sec. 405. The Director of the Federal Law Enforce-
- 16 ment Training Centers is authorized to distribute funds
- 17 to Federal law enforcement agencies for expenses incurred
- 18 participating in training accreditation.
- 19 Sec. 406. The Federal Law Enforcement Training
- 20 Accreditation Board, including representatives from the
- 21 Federal law enforcement community and non-Federal ac-
- 22 creditation experts involved in law enforcement training,
- 23 shall lead the Federal law enforcement training accredita-
- 24 tion process to continue the implementation of measuring



- 1 and assessing the quality and effectiveness of Federal law
- 2 enforcement training programs, facilities, and instructors.
- 3 Sec. 407. The Director of the Federal Law Enforce-
- 4 ment Training Centers may accept transfers to the ac-
- 5 count established by section 407(a) of division F of the
- 6 Consolidated Appropriations Act, 2018 (Public Law 115–
- 7 141) from Government agencies requesting the construc-
- 8 tion of special use facilities, as authorized by the Economy
- 9 Act (31 U.S.C. 1535(b)): Provided, That the Federal Law
- 10 Enforcement Training Centers maintain administrative
- 11 control and ownership upon completion of such facilities.
- 12 Sec. 408. The functions of the Federal Law Enforce-
- 13 ment Training Centers instructor staff shall be classified
- 14 as inherently governmental for the purpose of the Federal
- 15 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
- 16 note).
- 17 Sec. 409. Up to \$15,000,000 in unexpended balances
- 18 of appropriations made by division F of the Consolidated
- 19 Appropriations Act, 2018 (Public Law 115-141) under
- 20 the heading "Science and Technology—Operations and
- 21 Support" may be transferred to the United States Depart-
- 22 ment of Agriculture for the purpose of contract support
- 23 of the operations of the National Bio and Agro-defense
- 24 Facility.



1	TITLE V
2	GENERAL PROVISIONS
3	(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)
4	Sec. 501. No part of any appropriation contained in
5	this Act shall remain available for obligation beyond the
6	current fiscal year unless expressly so provided herein.
7	Sec. 502. Subject to the requirements of section 503
8	of this Act, the unexpended balances of prior appropria-
9	tions provided for activities in this Act may be transferred
10	to appropriation accounts for such activities established
11	pursuant to this Act, may be merged with funds in the
12	applicable established accounts, and thereafter may be ac-
13	counted for as one fund for the same time period as origi-
14	nally enacted.
15	Sec. 503. (a) None of the funds provided by this Act
16	provided by previous appropriations Acts to the compo-
17	nents in or transferred to the Department of Homeland
18	Security that remain available for obligation or expendi-
19	ture in fiscal year 2019, or provided from any accounts
20	in the Treasury of the United States derived by the collec-
21	tion of fees available to the components funded by this
22	Act, shall be available for obligation or expenditure
23	through a reprogramming of funds that—
24	(1) creates or eliminates a program, project, or
25	activity or increases funds for any program project



1	or activity for which funds have been denied or re-
2	stricted by the Congress;
3	(2) contracts out any function or activity pres-
4	ently performed by Federal employees or any new
5	function or activity proposed to be performed by
6	Federal employees in the President's budget pro-
7	posal for fiscal year 2019 for the Department of
8	Homeland Security;
9	(3) augments funding for existing programs,
10	projects, or activities in excess of \$5,000,000 or 10
11	percent, whichever is less;
12	(4) reduces funding for any program, project,
13	or activity, or numbers of personnel, by 10 percent
14	or more; or
15	(5) results from any general savings from a re-
16	duction in personnel that would result in a change
17	in funding levels for programs, projects, or activities
18	as approved by the Congress.
19	(b) Subsection (a) shall not apply if the Committees
20	on Appropriations of the Senate and the House of Rep-
21	resentatives are notified at least 15 days in advance of
22	such reprogramming.
23	(c) Up to 5 percent of any appropriation made avail-
24	able for the current fiscal year for the Department of
25	Homeland Security by this Act or provided by previous



- 1 appropriations Acts may be transferred between such ap-
- 2 propriations if the Committees on Appropriations of the
- 3 Senate and the House of Representatives are notified at
- 4 least 30 days in advance of such transfer, but no such
- 5 appropriation, except as otherwise specifically provided,
- 6 shall be increased by more than 10 percent by such trans-
- 7 fer.
- 8 (d) Notwithstanding subsections (a), (b), and (c), no
- 9 funds shall be reprogrammed within or transferred be-
- 10 tween appropriations based upon an initial notification
- 11 provided after June 30, except in extraordinary cir-
- 12 cumstances that imminently threaten the safety of human
- 13 life or the protection of property.
- 14 (e) The notification thresholds and procedures set
- 15 forth in subsections (a), (b), (c), and (d) shall apply to
- 16 any use of deobligated balances of funds provided in pre-
- 17 vious Department of Homeland Security Appropriations
- 18 Acts.
- 19 (f) Notwithstanding subsection (c), the Secretary of
- 20 Homeland Security may transfer to the fund established
- 21 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-
- 22 priations available to the Department of Homeland Secu-
- 23 rity: Provided, That the Secretary shall notify the Com-
- 24 mittees on Appropriations of the Senate and the House



- 1 of Representatives at least 5 days in advance of such
- 2 transfer.
- 3 Sec. 504. Section 504 of the Department of Home-
- 4 land Security Appropriations Act, 2017 (division F of
- 5 Public Law 115–31), related to the operations of a work-
- 6 ing capital fund, shall apply with respect to funds made
- 7 available in this Act in the same manner as such section
- 8 applied to funds made available in that Act.
- 9 Sec. 505. Except as otherwise specifically provided
- 10 by law, not to exceed 50 percent of unobligated balances
- 11 remaining available at the end of fiscal year 2019, as re-
- 12 corded in the financial records at the time of a reprogram-
- 13 ming notification, but not later than June 30, 2020, from
- 14 appropriations for "Operations and Support" for fiscal
- 15 year 2019 in this Act shall remain available through Sep-
- 16 tember 30, 2020, in the account and for the purposes for
- 17 which the appropriations were provided: Provided, That
- 18 prior to the obligation of such funds, a notification shall
- 19 be submitted to the Committees on Appropriations of the
- 20 Senate and the House of Representatives in accordance
- 21 with section 503 of this Act.
- Sec. 506. Funds made available by this Act for intel-
- 23 ligence activities are deemed to be specifically authorized
- 24 by the Congress for purposes of section 504 of the Na-
- 25 tional Security Act of 1947 (50 U.S.C. 414) during fiscal



1	year 2019 until the enactment of an Act authorizing intel-
2	ligence activities for fiscal year 2019.
3	Sec. 507. (a) The Secretary of Homeland Security,
4	or the designee of the Secretary, shall notify the Commit-
5	tees on Appropriations of the Senate and the House of
6	Representatives at least 3 full business days in advance
7	of—
8	(1) making or awarding a grant allocation,
9	grant, contract, other transaction agreement, or task
10	or delivery order on a Department of Homeland Se-
11	curity multiple award contract, or to issue a letter
12	of intent totaling in excess of \$1,000,000;
13	(2) awarding a task or delivery order requiring
14	an obligation of funds in an amount greater than
15	\$10,000,000 from multi-year Department of Home-
16	land Security funds;
17	(3) making a sole-source grant award; or
18	(4) announcing publicly the intention to make
19	or award items under paragraph (1), (2), or (3), in-
20	cluding a contract covered by the Federal Acquisi-
21	tion Regulation.
22	(b) If the Secretary of Homeland Security determines
23	that compliance with this section would pose a substantial
24	risk to human life, health, or safety, an award may be
25	made without notification, and the Secretary shall notify



1	the Committees on Appropriations of the Senate and the
2	House of Representatives not later than 5 full business
3	days after such an award is made or letter issued.
4	(c) A notification under this section—
5	(1) may not involve funds that are not available
6	for obligation; and
7	(2) shall include the amount of the award; the
8	fiscal year for which the funds for the award were
9	appropriated; the type of contract; and the account
10	from which the funds are being drawn.
11	Sec. 508. Notwithstanding any other provision of
12	law, no agency shall purchase, construct, or lease any ad-
13	ditional facilities, except within or contiguous to existing
14	locations, to be used for the purpose of conducting Federal
15	law enforcement training without advance notification to
16	the Committees on Appropriations of the Senate and the
17	House of Representatives, except that the Federal Law
18	Enforcement Training Centers is authorized to obtain the
19	temporary use of additional facilities by lease, contract,
20	or other agreement for training that cannot be accommo-
21	dated in existing Centers facilities.
22	Sec. 509. None of the funds appropriated or other-
23	wise made available by this Act may be used for expenses
24	for any construction, repair, alteration, or acquisition



25 project for which a prospectus otherwise required under

- 1 chapter 33 of title 40, United States Code, has not been
- 2 approved, except that necessary funds may be expended
- 3 for each project for required expenses for the development
- 4 of a proposed prospectus.
- 5 Sec. 510. Sections 520, 522, and 530 of the Depart-
- 6 ment of Homeland Security Appropriations Act, 2008 (di-
- 7 vision E of Public Law 110-161; 121 Stat. 2073 and
- 8 2074) shall apply with respect to funds made available in
- 9 this Act in the same manner as such sections applied to
- 10 funds made available in that Act.
- 11 Sec. 511. None of the funds made available in this
- 12 Act may be used in contravention of the applicable provi-
- 13 sions of the Buy American Act: Provided, That for pur-
- 14 poses of the preceding sentence, the term "Buy American
- 15 Act" means chapter 83 of title 41, United States Code.
- 16 Sec. 512. None of the funds made available in this
- 17 Act may be used to amend the oath of allegiance required
- 18 by section 337 of the Immigration and Nationality Act
- 19 (8 U.S.C. 1448).
- Sec. 513. None of the funds provided or otherwise
- 21 made available in this Act shall be available to carry out
- 22 section 872 of the Homeland Security Act of 2002 (6
- 23 U.S.C. 452) unless explicitly authorized by the Congress.



1 Sec. 514. None of the funds made available i	1	SEC.	514.	None	of	the	funds	made	available	in	t	hi	is
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- 2 Act may be used for planning, testing, piloting, or devel-
- 3 oping a national identification card.
- 4 Sec. 515. Any official that is required by this Act
- 5 to report or to certify to the Committees on Appropria-
- 6 tions of the Senate and the House of Representatives may
- 7 not delegate such authority to perform that act unless spe-
- 8 cifically authorized herein.
- 9 Sec. 516. None of the funds appropriated or other-
- 10 wise made available in this or any other Act may be used
- 11 to transfer, release, or assist in the transfer or release to
- 12 or within the United States, its territories, or possessions
- 13 Khalid Sheikh Mohammed or any other detainee who—
- 14 (1) is not a United States citizen or a member
- of the Armed Forces of the United States; and
- 16 (2) is or was held on or after June 24, 2009,
- 17 at the United States Naval Station, Guantanamo
- 18 Bay, Cuba, by the Department of Defense.
- 19 Sec. 517. None of the funds made available in this
- 20 Act may be used for first-class travel by the employees
- 21 of agencies funded by this Act in contravention of sections
- 22 301–10.122 through 301–10.124 of title 41, Code of Fed-
- 23 eral Regulations.
- Sec. 518. None of the funds made available in this
- 25 Act may be used to employ workers described in section



- 1 274A(h)(3) of the Immigration and Nationality Act (8
- 2 U.S.C. 1324a(h)(3)).
- 3 Sec. 519. Notwithstanding any other provision of
- 4 this Act, none of the funds appropriated or otherwise
- 5 made available by this Act may be used to pay award or
- 6 incentive fees for contractor performance that has been
- 7 judged to be below satisfactory performance or perform-
- 8 ance that does not meet the basic requirements of a con-
- 9 tract.
- 10 Sec. 520. None of the funds appropriated or other-
- 11 wise made available by this Act may be used by the De-
- 12 partment of Homeland Security to enter into any Federal
- 13 contract unless such contract is entered into in accordance
- 14 with the requirements of subtitle I of title 41, United
- 15 States Code, or chapter 137 of title 10, United States
- 16 Code, and the Federal Acquisition Regulation, unless such
- 17 contract is otherwise authorized by statute to be entered
- 18 into without regard to the above referenced statutes.
- 19 Sec. 521. (a) For an additional amount for financial
- 20 systems modernization, \$39,000,000, to remain available
- 21 until September 30, 2020.
- (b) Funds made available in subsection (a) for finan-
- 23 cial systems modernization may be transferred by the Sec-
- 24 retary of Homeland Security between appropriations for
- 25 the same purpose, notwithstanding section 503 of this Act.



1	(c) No transfer described in subsection (b) shall occur
2	until 15 days after the Committees on Appropriations of
3	the Senate and the House of Representatives are notified
4	of such transfer.
5	Sec. 522. (a) The funds appropriated to the Depart-
6	ment of Homeland Security in this Act for "Operations
7	and Support" shall be hereby reduced, as determined by
8	the Chief Financial Officer, by a total of \$39,000,000 to
9	realize administrative savings, including savings from re-
10	quirements, supplies, or materials that were funded by the
11	Department using fiscal year 2018 appropriations for con-
12	tracts with periods of performance in fiscal year 2019.
13	(b) Funds may only be reduced for the respective ap-
14	propriations from amounts identified in the budget appen-
15	dix, as modified by the report accompanying this Act, by
16	object classes 25.1, 25.2, 25.3, and 26.2.
17	(c) No funds may be reduced from amounts provided
18	under the following headings and activities:
19	(1) "Cybersecurity and Infrastructure Security
20	Agency—Operations and Support";
21	(2) "Coast Guard—Operations and Support"
22	for defense-related activities; and
23	(3) "Federal Emergency Management Agen-
24	cy—Operations and Support" for National Con-



- 1 tinuity Programs in the Preparedness and Protec-
- 2 tion program, project, and activity.
- 3 (d) No amounts may be reduced from amounts that
- 4 were designated by the Congress for Overseas Contingency
- 5 Operations/Global War on Terrorism or as an emergency
- 6 requirement pursuant to a concurrent resolution on the
- 7 budget or section 251(b)(2)(A) of the Balanced Budget
- 8 and Emergency Deficit Control Act of 1985 or from
- 9 amounts that were designated by the Congress as being
- 10 for disaster relief pursuant to section 251(b)(2)(D) of the
- 11 Balanced Budget and Emergency Deficit Control Act of
- 12 1985.
- 13 (e) The Secretary shall submit a notification to the
- 14 Committees on Appropriations of the Senate and the
- 15 House of Representatives specifying the account and
- 16 amount of each reduction made pursuant to this section.
- 17 Sec. 523. (a) None of the funds made available in
- 18 this Act may be used to maintain or establish a computer
- 19 network unless such network blocks the viewing,
- 20 downloading, and exchanging of pornography.
- 21 (b) Nothing in subsection (a) shall limit the use of
- 22 funds necessary for any Federal, State, tribal, or local law
- 23 enforcement agency or any other entity carrying out crimi-
- 24 nal investigations, prosecution, or adjudication activities.



- 1 Sec. 524. None of the funds made available in this
- 2 Act may be used by a Federal law enforcement officer to
- 3 facilitate the transfer of an operable firearm to an indi-
- 4 vidual if the Federal law enforcement officer knows or sus-
- 5 pects that the individual is an agent of a drug cartel unless
- 6 law enforcement personnel of the United States continu-
- 7 ously monitor or control the firearm at all times.
- 8 Sec. 525. None of the funds made available in this
- 9 Act may be used to pay for the travel to or attendance
- 10 of more than 50 employees of a single component of the
- 11 Department of Homeland Security, who are stationed in
- 12 the United States, at a single international conference un-
- 13 less the Secretary of Homeland Security, or a designee,
- 14 determines that such attendance is in the national interest
- 15 and notifies the Committees on Appropriations of the Sen-
- 16 ate and the House of Representatives within at least 10
- 17 days of that determination and the basis for that deter-
- 18 mination: Provided, That for purposes of this section the
- 19 term "international conference" shall mean a conference
- 20 occurring outside of the United States attended by rep-
- 21 resentatives of the United States Government and of for-
- 22 eign governments, international organizations, or non-
- 23 governmental organizations: Provided further, That the
- 24 total cost to the Department of Homeland Security of any
- 25 such conference shall not exceed \$500,000.



1	SEC. 526. None of the funds made available in this
2	Act may be used to reimburse any Federal department
3	or agency for its participation in a National Special Secu-
4	rity Event.
5	Sec. 527. None of the funds made available to the
6	Department of Homeland Security by this or any other
7	Act may be obligated for any structural pay reform that
8	affects more than 100 full-time positions or costs more
9	than \$5,000,000 in a single year before the end of the
10	30-day period beginning on the date on which the Sec-
11	retary of Homeland Security submits to Congress a notifi-
12	cation that includes—
13	(1) the number of full-time positions affected by
14	such change;
15	(2) funding required for such change for the
16	current year and through the Future Years Home-
17	land Security Program;
18	(3) justification for such change; and
19	(4) an analysis of compensation alternatives to
20	such change that were considered by the Depart-
21	ment.
22	Sec. 528. (a) Any agency receiving funds made avail-
23	able in this Act shall, subject to subsections (b) and (c),
24	post on the public website of that agency any report re-
25	quired to be submitted by the Committees on Appropria-



- 1 tions of the Senate and the House of Representatives in
- 2 this Act, upon the determination by the head of the agency
- 3 that it shall serve the national interest.
- 4 (b) Subsection (a) shall not apply to a report if—
- 5 (1) the public posting of the report com-
- 6 promises homeland or national security; or
- 7 (2) the report contains proprietary information.
- 8 (c) The head of the agency posting such report shall
- 9 do so only after such report has been made available to
- 10 the Committees on Appropriations of the Senate and the
- 11 House of Representatives for not less than 45 days except
- 12 as otherwise specified in law.
- 13 Sec. 529. (a) Funding provided in this Act for "Op-
- 14 erations and Support" may be used for minor procure-
- 15 ment, construction, and improvements.
- 16 (b) For purposes of subsection (a), "minor" refers
- 17 to end items with a unit cost of \$250,000 or less for per-
- 18 sonal property, and \$2,000,000 or less for real property.
- 19 Sec. 530. None of the funds made available by this
- 20 Act may be obligated or expended to implement the Arms
- 21 Trade Treaty until the Senate approves a resolution of
- 22 ratification for the Treaty.
- Sec. 531. For fiscal year 2019, the Secretary of
- 24 Homeland Security may provide, out of discretionary
- 25 funds available to the Department of Homeland Security,



- 1 for the primary and secondary schooling of dependents of
- 2 Department of Homeland Security personnel who are sta-
- 3 tioned outside the continental United States and for the
- 4 transportation of such dependents in the same manner
- 5 and to the same extent that, pursuant to section 544 of
- 6 title 14, United States Code, the Secretary may provide,
- 7 out of funds appropriated to or for the use of the Coast
- 8 Guard, for the primary and secondary schooling of, and
- 9 the transportation of, dependents of Coast Guard per-
- 10 sonnel stationed outside the continental United States:
- 11 Provided, That no amounts may be provided from
- 12 amounts that were designated by the Congress for Over-
- 13 seas Contingency Operations/Global War on Terrorism or
- 14 as an emergency requirement pursuant to a concurrent
- 15 resolution on the budget or section 251(b)(2)(A) of the
- 16 Balanced Budget and Emergency Deficit Control Act of
- 17 1985: Provided further, That no amounts may be provided
- 18 from amounts that were designated by the Congress as
- 19 being for disaster relief pursuant to section 251(b)(2)(D)
- 20 of the Balanced Budget and Emergency Deficit Control
- 21 Act of 1985.
- Sec. 532. Within 60 days of any budget submission
- 23 for the Department of Homeland Security for fiscal year
- 24 2020 that assumes revenues or proposes a reduction from
- 25 the previous year based on user fees proposals that have



1	not	been	enacted	into	law	prior	to	the	submission	of	the	
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- 2 budget, the Secretary of Homeland Security shall provide
- 3 the Committees on Appropriations of the Senate and the
- 4 House of Representatives specific reductions in proposed
- 5 discretionary budget authority commensurate with the
- 6 revenues assumed in such proposals in the event that they
- 7 are not enacted prior to October 1, 2019.
- 8 (RESCISSION)
- 9 Sec. 533. Of the funds appropriated to the Depart-
- 10 ment of Homeland Security the following funds are hereby
- 11 rescinded from the following accounts and programs in the
- 12 specified amounts: Provided, That no amounts may be re-
- 13 scinded from amounts that were designated by the Con-
- 14 gress as an emergency requirement pursuant to a concur-
- 15 rent resolution on the budget or the Balanced Budget and
- 16 Emergency Deficit Control Act of 1985 (Public Law 99-
- 17 177):
- 18 (1) \$17,471,912 from Public Law 115–31
- under the heading "Coast Guard—Research, Devel-
- opment, Test, and Evaluation";
- 21 (2) \$20,971,000 from Public Law 115–141
- 22 under the heading "Domestic Nuclear Detection Of-
- fice—Federal Assistance";



1	(3) \$4,000,000 from Public Law 115–141
2	under the heading "Transportation Security Admin-
3	istration—Operations and Support".
4	(RESCISSION)
5	Sec. 534. The following unobligated balances made
6	available to the Department of Homeland Security pursu-
7	ant to section 505 of the Department of Homeland Secu-
8	rity Appropriations Act, 2018 (Public Law 115–141) are
9	rescinded:
0	(1) \$243,869 from "Management Directorate—
1	Operations and Support";
2	(2) \$169,357 from "Office of the Secretary and
3	Executive Management—Operations and Support";
4	(3) \$366,053 from "Intelligence, Analysis, and
5	Operations Coordination—Operations and Support";
6	(4) \$427,889 from "Customs and Border Pro-
7	tection—Operations and Support";
8	(5) \$15,416 from "Coast Guard—Operating
9	Expenses";
20	(6) \$303 from "Coast Guard—Reserve Train-
21	ing";
22	(7) \$740,124 from "Coast Guard—Acquisition,
23	Construction, and Improvements";
24	(8) \$2,583,368 from "United States Secret
5	Sarriag Operations and Support".



1	(9) \$181,187 from "Federal Emergency Man-
2	agement Agency—Operations and Support";
3	(10) \$362,942 from "Office of Health Affairs—
4	Operations and Support";
5	(11) \$206,633 from "United States Citizenship
6	and Immigration Services—Operations and Sup-
7	port";
8	(12) \$31,941 from "Science and Technology
9	Directorate—Operations and Support";
10	(13) \$437,550 from "Domestic Nuclear Detec-
11	tion Office—Operations Support".
12	Sec. 535. From the unobligated balances available
13	in the Department of the Treasury Forfeiture Fund estab-
14	lished by section 9703 of title 31, United States Code
15	(added by section 638 of Public Law 102–393),
16	\$120,000,000 shall be permanently rescinded not later
17	than September 30, 2019.
18	This division may be cited as the "Department of
19	Homeland Security Appropriations Act, 2019".



1	DIVISION E—DEPARTMENT OF THE INTE-
2	RIOR, ENVIRONMENT, AND RELATED
3	AGENCIES APPROPRIATIONS ACT, 2019
4	TITLE I
5	DEPARTMENT OF THE INTERIOR
6	BUREAU OF LAND MANAGEMENT
7	MANAGEMENT OF LANDS AND RESOURCES
8	For necessary expenses for protection, use, improve-
9	ment, development, disposal, cadastral surveying, classi-
10	fication, acquisition of easements and other interests in
11	lands, and performance of other functions, including main-
12	tenance of facilities, as authorized by law, in the manage-
13	ment of lands and their resources under the jurisdiction
14	of the Bureau of Land Management, including the general
15	administration of the Bureau, and assessment of mineral
16	potential of public lands pursuant to section 1010(a) of
17	Public Law 96–487 (16 U.S.C. 3150(a)), \$1,198,000,000,
18	to remain available until expended, including all such
19	amounts as are collected from permit processing fees, as
20	authorized but made subject to future appropriation by
21	section 35(d)(3)(A)(i) of the Mineral Leasing Act (30
22	U.S.C. 191), except that amounts from permit processing
23	fees may be used for any bureau-related expenses associ-
24	ated with the processing of oil and gas applications for
25	permits to drill and related use of authorizations.



1	In addition, \$39,696,000 is for Mining Law Adminis-
2	tration program operations, including the cost of admin-
3	istering the mining claim fee program, to remain available
4	until expended, to be reduced by amounts collected by the
5	Bureau and credited to this appropriation from mining
6	claim maintenance fees and location fees that are hereby
7	authorized for fiscal year 2019, so as to result in a final
8	appropriation estimated at not more than $\$1,198,000,000,$
9	and $\$2,000,000$, to remain available until expended, from
10	communication site rental fees established by the Bureau
11	for the cost of administering communication site activities.
12	LAND ACQUISITION
13	(INCLUDING RESCISSION OF FUNDS)
14	For expenses necessary to carry out sections 205,
15	206, and 318(d) of Public Law 94–579, including admin-
16	istrative expenses and acquisition of lands or waters, or
17	interests therein, \$28,316,000, to be derived from the
18	Land and Water Conservation Fund and to remain avail-
19	able until expended.
20	Of the unobligated balances from amounts made
21	available for Land Acquisition and derived from the Land
22	and Water Conservation Fund, \$1,800,000 is hereby per-
23	manently rescinded from previously appropriated emer-
24	
	gencies, hardships, and inholdings funding: Provided,



1	and the second s	1 (1	~			The second of the second
1	were designated	by the	Congress as	san	emergency	require-

- 2 ment pursuant to the Concurrent Resolution on the Budg-
- 3 et or the Balanced Budget and Emergency Deficit Control
- 4 Act of 1985.

5 OREGON AND CALIFORNIA GRANT LANDS

- 6 For expenses necessary for management, protection,
- 7 and development of resources and for construction, oper-
- 8 ation, and maintenance of access roads, reforestation, and
- 9 other improvements on the revested Oregon and California
- 10 Railroad grant lands, on other Federal lands in the Or-
- 11 egon and California land-grant counties of Oregon, and
- 12 on adjacent rights-of-way; and acquisition of lands or in-
- 13 terests therein, including existing connecting roads on or
- 14 adjacent to such grant lands; \$106,985,000, to remain
- 15 available until expended: Provided, That 25 percent of the
- 16 aggregate of all receipts during the current fiscal year
- 17 from the revested Oregon and California Railroad grant
- 18 lands is hereby made a charge against the Oregon and
- 19 California land-grant fund and shall be transferred to the
- 20 General Fund in the Treasury in accordance with the sec-
- 21 ond paragraph of subsection (b) of title II of the Act of
- 22 August 28, 1937 (43 U.S.C. 2605).
- 23 RANGE IMPROVEMENTS
- 24 For rehabilitation, protection, and acquisition of
- 25 lands and interests therein, and improvement of Federal



- 1 rangelands pursuant to section 401 of the Federal Land
- 2 Policy and Management Act of 1976 (43 U.S.C. 1751),
- 3 notwithstanding any other Act, sums equal to 50 percent
- 4 of all moneys received during the prior fiscal year under
- 5 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
- 6 315b, 315m) and the amount designated for range im-
- 7 provements from grazing fees and mineral leasing receipts
- 8 from Bankhead-Jones lands transferred to the Depart-
- 9 ment of the Interior pursuant to law, but not less than
- 10 \$10,000,000, to remain available until expended: Pro-
- 11 vided, That not to exceed \$600,000 shall be available for
- 12 administrative expenses.
- 13 SERVICE CHARGES, DEPOSITS, AND FORFEITURES
- 14 For administrative expenses and other costs related
- 15 to processing application documents and other authoriza-
- 16 tions for use and disposal of public lands and resources,
- 17 for costs of providing copies of official public land docu-
- 18 ments, for monitoring construction, operation, and termi-
- 19 nation of facilities in conjunction with use authorizations,
- 20 and for rehabilitation of damaged property, such amounts
- 21 as may be collected under Public Law 94–579 (43 U.S.C.
- 22 1701 et seq.), and under section 28 of the Mineral Leasing
- 23 Act (30 U.S.C. 185), to remain available until expended:
- 24 Provided, That notwithstanding any provision to the con-
- 25 trary of section 305(a) of Public Law 94–579 (43 U.S.C.



- 1 1735(a)), any moneys that have been or will be received
- 2 pursuant to that section, whether as a result of forfeiture,
- 3 compromise, or settlement, if not appropriate for refund
- 4 pursuant to section 305(c) of that Act (43 U.S.C.
- 5 1735(c)), shall be available and may be expended under
- 6 the authority of this Act by the Secretary to improve, pro-
- 7 tect, or rehabilitate any public lands administered through
- 8 the Bureau of Land Management which have been dam-
- 9 aged by the action of a resource developer, purchaser, per-
- 10 mittee, or any unauthorized person, without regard to
- 11 whether all moneys collected from each such action are
- 12 used on the exact lands damaged which led to the action:
- 13 Provided further, That any such moneys that are in excess
- 14 of amounts needed to repair damage to the exact land for
- 15 which funds were collected may be used to repair other
- 16 damaged public lands.
- 17 MISCELLANEOUS TRUST FUNDS
- 18 In addition to amounts authorized to be expended
- 19 under existing laws, there is hereby appropriated such
- 20 amounts as may be contributed under section 307 of Pub-
- 21 lie Law 94–579 (43 U.S.C. 1737), and such amounts as
- 22 may be advanced for administrative costs, surveys, ap-
- 23 praisals, and costs of making conveyances of omitted lands
- 24 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
- 25 remain available until expended.



1	ADMINISTRATIVE PROVISIONS
2	The Bureau of Land Management may carry out the
3	operations funded under this Act by direct expenditure
4	contracts, grants, cooperative agreements and reimburs-
5	able agreements with public and private entities, including
6	with States. Appropriations for the Bureau shall be avail-
7	able for purchase, erection, and dismantlement of tem-
8	porary structures, and alteration and maintenance of nec-
9	essary buildings and appurtenant facilities to which the
10	United States has title; up to \$100,000 for payments, at
11	the discretion of the Secretary, for information or evidence
12	concerning violations of laws administered by the Bureau
13	miscellaneous and emergency expenses of enforcement ac-
14	tivities authorized or approved by the Secretary and to be
15	accounted for solely on the Secretary's certificate, not to
16	exceed \$10,000: Provided, That notwithstanding Public
17	Law 90–620 (44 U.S.C. 501), the Bureau may, under co-
18	operative cost-sharing and partnership arrangements au-
19	thorized by law, procure printing services from cooperators
20	in connection with jointly produced publications for which
21	the cooperators share the cost of printing either in cash
22	or in services, and the Bureau determines the cooperator
23	is capable of meeting accepted quality standards: $Provided$
24	further, That projects to be funded pursuant to a written
25	commitment by a State government to provide an identi-



- 1 fied amount of money in support of the project may be
- 2 carried out by the Bureau on a reimbursable basis. Appro-
- 3 priations herein made shall not be available for the de-
- 4 struction of healthy, unadopted, wild horses and burros
- 5 in the care of the Bureau or its contractors or for the
- 6 sale of wild horses and burros that results in their destruc-
- 7 tion for processing into commercial products.
- 8 United States Fish and Wildlife Service
- 9 RESOURCE MANAGEMENT
- 10 For necessary expenses of the United States Fish and
- 11 Wildlife Service, as authorized by law, and for scientific
- 12 and economic studies, general administration, and for the
- 13 performance of other authorized functions related to such
- 14 resources, \$1,292,078,000, to remain available until Sep-
- 15 tember 30, 2020: Provided, That not to exceed
- 16 \$18,318,000 shall be used for implementing subsections
- 17 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
- 18 cies Act of 1973 (16 U.S.C. 1533) (except for processing
- 19 petitions, developing and issuing proposed and final regu-
- 20 lations, and taking any other steps to implement actions
- 21 described in subsection (c)(2)(A), (c)(2)(B)(i), or
- 22 (e)(2)(B)(ii)).



1	CONSTRUCTION
2	(INCLUDING RESCISSION OF FUNDS)
3	For construction, improvement, acquisition, or re-
4	moval of buildings and other facilities required in the con-
5	servation, management, investigation, protection, and uti-
6	lization of fish and wildlife resources, and the acquisition
7	of lands and interests therein; \$55,613,000, to remain
8	available until expended.
9	Of the unobligated balances available for Construc-
10	tion, \$1,500,000 is permanently rescinded, including
11	\$300,000 of unobligated balances available for Construc-
12	tion under Public Law 111–8: Provided, That no amounts
13	may be rescinded from amounts that were designated by
14	the Congress as an emergency requirement pursuant to
15	the Concurrent Resolution on the Budget or the Balanced
16	Budget and Emergency Deficit Control Act of 1985.
17	LAND ACQUISITION
18	For expenses necessary to carry out chapter 2003 of
19	title 54, United States Code, including administrative ex-
20	penses, and for acquisition of land or waters, or interest
21	therein, in accordance with statutory authority applicable
22	to the United States Fish and Wildlife Service,
23	\$65,189,000, to be derived from the Land and Water Con-
24	servation Fund and to remain available until expended,
25	of which notwithstanding section 200306 of title 54



1	United	States	Code,	not	more	than	\$20	000,	000,	shall	be

- 2 for land conservation partnerships authorized by the
- 3 Highlands Conservation Act of 2004, including not to ex-
- 4 ceed \$320,000 for administrative expenses: Provided, That
- 5 none of the funds appropriated for specific land acquisi-
- 6 tion projects may be used to pay for any administrative
- 7 overhead, planning or other management costs.
- 8 COOPERATIVE ENDANGERED SPECIES CONSERVATION
- 9 Fund
- 10 (INCLUDING RESCISSION OF FUNDS)
- 11 For expenses necessary to carry out section 6 of the
- 12 Endangered Species Act of 1973 (16 U.S.C. 1535),
- 13 \$53,495,000, to remain available until expended, of which
- 14 \$22,695,000 is to be derived from the Cooperative Endan-
- 15 gered Species Conservation Fund; and of which
- 16 \$30,800,000 is to be derived from the Land and Water
- 17 Conservation Fund.
- Of the unobligated balances made available from the
- 19 Cooperative Endangered Species Conservation Fund,
- 20 \$7,500,000 is permanently rescinded: *Provided*, That no
- 21 amounts may be rescinded from amounts that were des-
- 22 ignated by the Congress as an emergency requirement
- 23 pursuant to the Concurrent Resolution on the Budget or
- 24 the Balanced Budget and Emergency Deficit Control Act
- 25 of 1985.



1	NATIONAL WILDLIFE REFUGE FUND
2	For expenses necessary to implement the Act of Octo-
3	ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.
4	NORTH AMERICAN WETLANDS CONSERVATION FUND
5	For expenses necessary to carry out the provisions
6	of the North American Wetlands Conservation Act (16
7	U.S.C. 4401 et seq.), \$42,000,000, to remain available
8	until expended.
9	NEOTROPICAL MIGRATORY BIRD CONSERVATION
10	For expenses necessary to carry out the Neotropical
11	Migratory Bird Conservation Act (16 U.S.C. 6101 et
12	seq.), $\$3,910,000$, to remain available until expended.
13	MULTINATIONAL SPECIES CONSERVATION FUND
14	For expenses necessary to carry out the African Ele-
15	phant Conservation Act (16 U.S.C. 4201 et seq.), the
16	Asian Elephant Conservation Act of 1997 (16 U.S.C.
17	4261 et seq.), the Rhinoceros and Tiger Conservation Act
18	of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
19	servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
20	Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
21	et seq.), \$11,561,000, to remain available until expended
22	STATE AND TRIBAL WILDLIFE GRANTS
23	For wildlife conservation grants to States and to the
24	District of Columbia, Puerto Rico, Guam, the United
25	States Virgin Islands, the Northern Mariana Islands



1	American	Samoa,	and .	Indian	tribes	under	the	provis	nons
2	of the Fis	sh and	Wildli	fe Act	of 195	56 and	the	Fish	and

- 3 Wildlife Coordination Act, for the development and imple-
- 4 mentation of programs for the benefit of wildlife and their
- 5 habitat, including species that are not hunted or fished,
- 6 \$64,571,000, to remain available until expended: Pro-
- 7 vided, That of the amount provided herein, \$4,209,000 is
- 8 for a competitive grant program for Indian tribes not sub-
- 9 ject to the remaining provisions of this appropriation: Pro-
- 10 vided further, That \$6,362,000 is for a competitive grant
- 11 program to implement approved plans for States, terri-
- 12 tories, and other jurisdictions and at the discretion of af-
- 13 fected States, the regional Associations of fish and wildlife
- 14 agencies, not subject to the remaining provisions of this
- 15 appropriation: Provided further, That the Secretary shall,
- 16 after deducting \$10,571,000 and administrative expenses,
- 17 apportion the amount provided herein in the following
- 18 manner: (1) to the District of Columbia and to the Com-
- 19 monwealth of Puerto Rico, each a sum equal to not more
- 20 than one-half of 1 percent thereof; and (2) to Guam,
- 21 American Samoa, the United States Virgin Islands, and
- 22 the Commonwealth of the Northern Mariana Islands, each
- 23 a sum equal to not more than one-fourth of 1 percent
- 24 thereof: Provided further, That the Secretary shall appor-
- 25 tion the remaining amount in the following manner: (1)



1	one-third of which is based on the ratio to which the land
2	area of such State bears to the total land area of all such
3	States; and (2) two-thirds of which is based on the ratio
4	to which the population of such State bears to the total
5	population of all such States: Provided further, That the
6	amounts apportioned under this paragraph shall be ad-
7	justed equitably so that no State shall be apportioned a
8	sum which is less than 1 percent of the amount available
9	for apportionment under this paragraph for any fiscal year
10	or more than 5 percent of such amount: Provided further,
11	That the Federal share of planning grants shall not exceed
12	75 percent of the total costs of such projects and the Fed-
13	eral share of implementation grants shall not exceed 65
14	percent of the total costs of such projects: Provided fur-
15	ther, That the non-Federal share of such projects may not
16	be derived from Federal grant programs: $Provided\ further,$
17	That any amount apportioned in 2019 to any State, terri-
18	tory, or other jurisdiction that remains unobligated as of
19	September 30, 2020, shall be reapportioned, together with
20	funds appropriated in 2021, in the manner provided here-
21	in.
22	ADMINISTRATIVE PROVISIONS
23	(INCLUDING RESCISSION OF FUNDS)
24	The United States Fish and Wildlife Service may
25	carry out the operations of Service programs by direct ex-



1	penditure, contracts, grants, cooperative agreements and
2	reimbursable agreements with public and private entities.
3	Appropriations and funds available to the United States
4	Fish and Wildlife Service shall be available for repair of
5	damage to public roads within and adjacent to reservation
6	areas caused by operations of the Service; options for the
7	purchase of land at not to exceed \$1 for each option; facili-
8	ties incident to such public recreational uses on conserva-
9	tion areas as are consistent with their primary purpose;
10	and the maintenance and improvement of aquaria, build-
11	ings, and other facilities under the jurisdiction of the Serv-
12	ice and to which the United States has title, and which
13	are used pursuant to law in connection with management,
14	and investigation of fish and wildlife resources: Provided,
15	That notwithstanding 44 U.S.C. 501, the Service may,
16	under cooperative cost sharing and partnership arrange-
17	ments authorized by law, procure printing services from
18	cooperators in connection with jointly produced publica-
19	tions for which the cooperators share at least one-half the
20	cost of printing either in cash or services and the Service
21	determines the cooperator is capable of meeting accepted
22	quality standards: Provided further, That the Service may
23	accept donated aircraft as replacements for existing air-
24	craft: Provided further, That notwithstanding 31 U.S.C.
25	3302 all fees collected for non-toxic shot review and an-



- 1 proval shall be deposited under the heading "United
- 2 States Fish and Wildlife Service—Resource Management"
- 3 and shall be available to the Secretary, without further
- 4 appropriation, to be used for expenses of processing of
- 5 such non-toxic shot type or coating applications and revis-
- 6 ing regulations as necessary, and shall remain available
- 7 until expended.
- 8 Of the unobligated balances available for grants
- 9 under Public Law 109-58, title III, subtitle G, section
- 10 384, \$15,000,000 is permanently rescinded: Provided,
- 11 That no amounts may be rescinded from amounts that
- 12 were designated by the Congress as an emergency require-
- 13 ment pursuant to the Concurrent Resolution on the Budg-
- 14 et or the Balanced Budget and Emergency Deficit Control
- 15 Act of 1985.
- 16 NATIONAL PARK SERVICE
- 17 OPERATION OF THE NATIONAL PARK SYSTEM
- 18 For expenses necessary for the management, oper-
- 19 ation, and maintenance of areas and facilities adminis-
- 20 tered by the National Park Service and for the general
- 21 administration of the National Park Service,
- 22 \$2,502,711,000, of which \$10,032,000 for planning and
- 23 interagency coordination in support of Everglades restora-
- 24 tion and \$135,980,000 for maintenance, repair, or reha-
- 25 bilitation projects for constructed assets and



- 1 \$151,575,000 for cyclic maintenance projects for con-
- 2 structed assets and cultural resources shall remain avail-
- 3 able until September 30, 2020: Provided, That funds ap-
- 4 propriated under this heading in this Act are available for
- 5 the purposes of section 5 of Public Law 95–348: Provided
- 6 further, That notwithstanding section 9(a) of the United
- 7 States Semiquincentennial Commission Act of 2016 (Pub-
- 8 lie Law 114–196; 130 Stat. 691), \$500,000 of the funds
- 9 made available under this heading shall be provided to the
- 10 organization selected under section 9(b) of that Act for
- 11 expenditure by the United States Semiquincentennial
- 12 Commission in accordance with that Act.
- 13 NATIONAL RECREATION AND PRESERVATION
- 14 For expenses necessary to carry out recreation pro-
- 15 grams, natural programs, cultural programs, heritage
- 16 partnership programs, environmental compliance and re-
- 17 view, international park affairs, and grant administration,
- 18 not otherwise provided for, \$64,138,000.
- 19 HISTORIC PRESERVATION FUND
- For expenses necessary in carrying out the National
- 21 Historic Preservation Act (division A of subtitle III of title
- 22 54, United States Code), \$102,660,000, to be derived
- 23 from the Historic Preservation Fund and to remain avail-
- 24 able until September 30, 2020, of which \$13,000,000 shall
- 25 be for Save America's Treasures grants for preservation



- 1 of national significant sites, structures and artifacts as au-
- 2 thorized by section 7303 of the Omnibus Public Land
- 3 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
- 4 That an individual Save America's Treasures grant shall
- 5 be matched by non-Federal funds: Provided further, That
- 6 individual projects shall only be eligible for one grant: Pro-
- 7 vided further, That all projects to be funded shall be ap-
- 8 proved by the Secretary of the Interior in consultation
- 9 with the House and Senate Committees on Appropria-
- 10 tions: Provided further, That of the funds provided for the
- 11 Historic Preservation Fund, \$750,000 is for competitive
- 12 grants for the survey and nomination of properties to the
- 13 National Register of Historic Places and as National His-
- 14 toric Landmarks associated with communities currently
- 15 under-represented, as determined by the Secretary,
- 16 \$14,500,000 is for competitive grants to preserve the sites
- 17 and stories of the Civil Rights movement, \$8,000,000 is
- 18 for grants to Historically Black Colleges and Universities,
- 19 and \$5,000,000 is for competitive grants for the restora-
- 20 tion of historic properties of national, State and local sig-
- 21 nificance listed on or eligible for inclusion on the National
- 22 Register of Historic Places, to be made without imposing
- 23 the usage or direct grant restrictions of section 101(e)(3)
- 24 (54 U.S.C. 302904) of the National Historical Preserva-
- 25 tion Act: Provided further, That such competitive grants



- 1 shall be made without imposing the matching require-
- 2 ments in section 302902(b)(3) of title 54, United States
- 3 Code, to States and Indian tribes as defined in chapter
- 4 3003 of such title, Native Hawaiian organizations, local
- 5 governments, including Certified Local Governments, and
- 6 non-profit organizations.

7 CONSTRUCTION

- 8 For construction, improvements, repair, or replace-
- 9 ment of physical facilities, and compliance and planning
- 10 for programs and areas administered by the National
- 11 Park Service, \$364,704,000, to remain available until ex-
- 12 pended: Provided, That notwithstanding any other provi-
- 13 sion of law, for any project initially funded in fiscal year
- 14 2019 with a future phase indicated in the National Park
- 15 Service 5-Year Line Item Construction Plan, a single pro-
- 16 curement may be issued which includes the full scope of
- 17 the project: Provided further, That the solicitation and
- 18 contract shall contain the clause availability of funds
- 19 found at 48 CFR 52.232-18: Provided further, That Na-
- 20 tional Park Service Donations, Park Concessions Fran-
- 21 chise Fees, and Recreation Fees may be made available
- 22 for the cost of adjustments and changes within the origi-
- 23 nal scope of effort for projects funded by the National
- 24 Park Service Construction appropriation: Provided further,
- 25 That the Secretary of the Interior shall consult with the



- 1 Committees on Appropriations, in accordance with current
- 2 reprogramming thresholds, prior to making any charges
- 3 authorized by this section.
- 4 LAND ACQUISITION AND STATE ASSISTANCE
- 5 For expenses necessary to carry out chapter 2003 of
- 6 title 54, United States Code, including administrative ex-
- 7 penses, and for acquisition of lands or waters, or interest
- 8 therein, in accordance with the statutory authority appli-
- 9 cable to the National Park Service, \$168,444,000, to be
- 10 derived from the Land and Water Conservation Fund and
- 11 to remain available until expended, of which \$124,006,000
- 12 is for the State assistance program and of which
- 13 \$10,000,000 shall be for the American Battlefield Protec-
- 14 tion Program grants as authorized by chapter 3081 of title
- 15 54, United States Code.
- 16 CENTENNIAL CHALLENGE
- 17 For expenses necessary to carry out the provisions
- 18 of section 101701 of title 54, United States Code, relating
- 19 to challenge cost share agreements, \$20,000,000, to re-
- 20 main available until expended, for Centennial Challenge
- 21 projects and programs: Provided, That not less than 50
- 22 percent of the total cost of each project or program shall
- 23 be derived from non-Federal sources in the form of do-
- 24 nated cash, assets, or a pledge of donation guaranteed by
- 25 an irrevocable letter of credit.



1	ADMINISTRATIVE PROVISIONS
2	(INCLUDING TRANSFER OF FUNDS)
3	In addition to other uses set forth in section
4	101917(c)(2) of title 54, United States Code, franchise
5	fees credited to a sub-account shall be available for ex-
6	penditure by the Secretary, without further appropriation,
7	for use at any unit within the National Park System to
8	extinguish or reduce liability for Possessory Interest or
9	leasehold surrender interest. Such funds may only be used
10	for this purpose to the extent that the benefitting unit an-
11	ticipated franchise fee receipts over the term of the con-
12	tract at that unit exceed the amount of funds used to ex-
13	tinguish or reduce liability. Franchise fees at the benefit-
14	ting unit shall be credited to the sub-account of the origi-
15	nating unit over a period not to exceed the term of a single
16	contract at the benefitting unit, in the amount of funds
17	so expended to extinguish or reduce liability.
18	For the costs of administration of the Land and
19	Water Conservation Fund grants authorized by section
20	105(a)(2)(B) of the Gulf of Mexico Energy Security Act
21	of 2006 (Public Law 109–432), the National Park Service
22	may retain up to 3 percent of the amounts which are au-
23	thorized to be disbursed under such section, such retained
24	amounts to remain available until expended.



1	National Park Service funds may be transferred to
2	the Federal Highway Administration (FHWA), Depart-
3	ment of Transportation, for purposes authorized under 23
4	U.S.C. 204. Transfers may include a reasonable amount
5	for FHWA administrative support costs.
6	UNITED STATES GEOLOGICAL SURVEY
7	SURVEYS, INVESTIGATIONS, AND RESEARCH
8	For expenses necessary for the United States Geo-
9	logical Survey to perform surveys, investigations, and re-
10	search covering topography, geology, hydrology, biology,
11	and the mineral and water resources of the United States,
12	its territories and possessions, and other areas as author-
13	ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
14	to their mineral and water resources; give engineering su-
15	pervision to power permittees and Federal Energy Regu-
16	latory Commission licensees; administer the minerals ex-
17	ploration program (30 U.S.C. 641); conduct inquiries into
18	the economic conditions affecting mining and materials
19	processing industries (30 U.S.C. 3, 21a, and 1603; 50
20	U.S.C. 98g(1)) and related purposes as authorized by law;
21	and to publish and disseminate data relative to the fore-
22	going activities; \$1,160,596,000, to remain available until
23	September 30, 2020; of which \$84,337,000 shall remain
24	available until expended for satellite operations; and of
25	which \$15,164,000 shall be available until expended for



- 1 deferred maintenance and capital improvement projects
- 2 that exceed \$100,000 in cost: Provided, That none of the
- 3 funds provided for the ecosystem research activity shall
- 4 be used to conduct new surveys on private property, unless
- 5 specifically authorized in writing by the property owner:
- 6 Provided further, That no part of this appropriation shall
- 7 be used to pay more than one-half the cost of topographic
- 8 mapping or water resources data collection and investiga-
- 9 tions carried on in cooperation with States and municipali-
- 10 ties.

11 ADMINISTRATIVE PROVISIONS

- 12 From within the amount appropriated for activities
- 13 of the United States Geological Survey such sums as are
- 14 necessary shall be available for contracting for the fur-
- 15 nishing of topographic maps and for the making of geo-
- 16 physical or other specialized surveys when it is administra-
- 17 tively determined that such procedures are in the public
- 18 interest; construction and maintenance of necessary build-
- 19 ings and appurtenant facilities; acquisition of lands for
- 20 gauging stations, observation wells, and seismic equip-
- 21 ment; expenses of the United States National Committee
- 22 for Geological Sciences; and payment of compensation and
- 23 expenses of persons employed by the Survey duly ap-
- 24 pointed to represent the United States in the negotiation
- 25 and administration of interstate compacts: Provided, That



1	activities funded by appropriations herein made may be
2	accomplished through the use of contracts, grants, or co-
3	operative agreements as defined in section 6302 of title
4	31, United States Code: Provided further, That the United
5	States Geological Survey may enter into contracts or coop-
6	erative agreements directly with individuals or indirectly
7	with institutions or nonprofit organizations, without re-
8	gard to 41 U.S.C. 6101, for the temporary or intermittent
9	services of students or recent graduates, who shall be con-
10	sidered employees for the purpose of chapters 57 and 81
11	of title 5, United States Code, relating to compensation
12	for travel and work injuries, and chapter 171 of title 28,
13	United States Code, relating to tort claims, but shall not
14	be considered to be Federal employees for any other pur-
15	poses.
16	BUREAU OF OCEAN ENERGY MANAGEMENT
17	OCEAN ENERGY MANAGEMENT
18	For expenses necessary for granting and admin-
19	istering leases, easements, rights-of-way and agreements
20	for use for oil and gas, other minerals, energy, and ma-
21	rine-related purposes on the Outer Continental Shelf and
22	approving operations related thereto, as authorized by law;
23	for environmental studies, as authorized by law; for imple-
24	menting other laws and to the extent provided by Presi-
25	dential or Secretarial delegation; and for matching grants



1	or cooperative agreements, \$179,266,000, of which
2	\$129,450,000 is to remain available until September 30,
3	2020, and of which \$49,816,000 is to remain available
4	until expended: Provided, That this total appropriation
5	shall be reduced by amounts collected by the Secretary
6	and credited to this appropriation from additions to re-
7	ceipts resulting from increases to lease rental rates in ef-
8	fect on August 5, 1993, and from cost recovery fees from
9	activities conducted by the Bureau of Ocean Energy Man-
10	agement pursuant to the Outer Continental Shelf Lands
11	Act, including studies, assessments, analysis, and miscella-
12	neous administrative activities: $Provided\ further,\ That\ the$
13	sum herein appropriated shall be reduced as such collec-
14	tions are received during the fiscal year, so as to result
15	in a final fiscal year 2019 appropriation estimated at not
16	more than \$129,450,000: Provided further, That not to
17	exceed $\$3,000$ shall be available for reasonable expenses
18	related to promoting volunteer beach and marine cleanup
19	activities.
20	BUREAU OF SAFETY AND ENVIRONMENTAL
21	Enforcement
22	OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
23	For expenses necessary for the regulation of oper-
24	ations related to leases, easements, rights-of-way and
25	agreements for use for oil and gas, other minerals, energy,



- 1 and marine-related purposes on the Outer Continental
- 2 Shelf, as authorized by law; for enforcing and imple-
- 3 menting laws and regulations as authorized by law and
- 4 to the extent provided by Presidential or Secretarial dele-
- 5 gation; and for matching grants or cooperative agree-
- 6 ments, \$145,475,000, of which \$121,351,000 is to remain
- 7 available until September 30, 2020, and of which
- 8 \$24,124,000 is to remain available until expended: Pro-
- 9 vided, That this total appropriation shall be reduced by
- 10 amounts collected by the Secretary and credited to this
- 11 appropriation from additions to receipts resulting from in-
- 12 creases to lease rental rates in effect on August 5, 1993,
- 13 and from cost recovery fees from activities conducted by
- 14 the Bureau of Safety and Environmental Enforcement
- 15 pursuant to the Outer Continental Shelf Lands Act, in-
- 16 cluding studies, assessments, analysis, and miscellaneous
- 17 administrative activities: Provided further, That the sum
- 18 herein appropriated shall be reduced as such collections
- 19 are received during the fiscal year, so as to result in a
- 20 final fiscal year 2019 appropriation estimated at not more
- 21 than \$121,351,000.
- For an additional amount, \$41,765,000, to remain
- 23 available until expended, to be reduced by amounts col-
- 24 lected by the Secretary and credited to this appropriation,
- 25 which shall be derived from non-refundable inspection fees



1	collected in fiscal year 2019, as provided in this Act: Pro-
2	vided, That to the extent that amounts realized from such
3	inspection fees exceed $\$41,765,000$, the amounts realized
4	in excess of $\$41,765,000$ shall be credited to this appro-
5	priation and remain available until expended: $Provided$
6	further, That for fiscal year 2019, not less than 50 percent
7	of the inspection fees expended by the Bureau of Safety
8	and Environmental Enforcement will be used to fund per-
9	sonnel and mission-related costs to expand capacity and
10	expedite the orderly development, subject to environmental
11	safeguards, of the Outer Continental Shelf pursuant to the
12	Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
13	seq.), including the review of applications for permits to
14	drill.
14 15	drill. OIL SPILL RESEARCH
15	OIL SPILL RESEARCH
15 16 17	OIL SPILL RESEARCH For necessary expenses to carry out title I, section
15 16 17	OIL SPILL RESEARCH For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title
15 16 17 18	OIL SPILL RESEARCH For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990,
15 16 17 18 19	OIL SPILL RESEARCH For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$14,899,000, which shall be derived from the Oil Spill Li-
15 16 17 18 19 20	OIL SPILL RESEARCH For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.
15 16 17 18 19 20 21	For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended. Office of Surface Mining Reclamation and
15 16 17 18 19 20 21 22	For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended. Office of Surface Mining Reclamation and Enforcement



- 1 1977, Public Law 95–87, \$115,804,000, to remain avail-
- 2 able until September 30, 2020: Provided, That appropria-
- 3 tions for the Office of Surface Mining Reclamation and
- 4 Enforcement may provide for the travel and per diem ex-
- 5 penses of State and tribal personnel attending Office of
- 6 Surface Mining Reclamation and Enforcement sponsored
- 7 training: Provided further, That of the amounts made
- 8 available under this heading and notwithstanding the Fed-
- 9 eral share limits contained in section 705 of the Surface
- 10 Mining Control and Reclamation Act of 1977 (30 U.S.C.
- 11 1295), not to exceed \$2,300,000 shall be for the Secretary
- 12 of the Interior to make grants to any State with active
- 13 coal mine operations within its borders that does not have
- 14 an approved State regulatory program under section 503
- 15 of the Surface Mining Control and Reclamation Act of
- 16 1977 (30 U.S.C. 1253) for the purpose of developing a
- 17 State program under such Act.
- 18 In addition, for costs to review, administer, and en-
- 19 force permits issued by the Office pursuant to section 507
- 20 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
- 21 main available until expended: Provided, That fees as-
- 22 sessed and collected by the Office pursuant to such section
- 23 507 shall be credited to this account as discretionary off-
- 24 setting collections, to remain available until expended:
- 25 Provided further, That the sum herein appropriated from



- 1 the general fund shall be reduced as collections are re-
- 2 ceived during the fiscal year, so as to result in a fiscal
- 3 year 2019 appropriation estimated at not more than
- 4 \$115,804,000.
- 5 ABANDONED MINE RECLAMATION FUND
- 6 For necessary expenses to carry out title IV of the
- 7 Surface Mining Control and Reclamation Act of 1977,
- 8 Public Law 95–87, \$24,672,000, to be derived from re-
- 9 ceipts of the Abandoned Mine Reclamation Fund and to
- 10 remain available until expended: Provided, That pursuant
- 11 to Public Law 97–365, the Department of the Interior is
- 12 authorized to use up to 20 percent from the recovery of
- 13 the delinquent debt owed to the United States Government
- 14 to pay for contracts to collect these debts: Provided fur-
- 15 ther, That funds made available under title IV of Public
- 16 Law 95-87 may be used for any required non-Federal
- 17 share of the cost of projects funded by the Federal Gov-
- 18 ernment for the purpose of environmental restoration re-
- 19 lated to treatment or abatement of acid mine drainage
- 20 from abandoned mines: Provided further, That such
- 21 projects must be consistent with the purposes and prior-
- 22 ities of the Surface Mining Control and Reclamation Act:
- 23 Provided further, That amounts provided under this head-
- 24 ing may be used for the travel and per diem expenses of



1	State and tribal personnel attending Office of Surface
2	Mining Reclamation and Enforcement sponsored training
3	In addition, \$115,000,000, to remain available until
4	expended, for grants to States and federally recognized In-
5	dian Tribes for reclamation of abandoned mine lands and
6	other related activities in accordance with the terms and
7	conditions in the explanatory statement described in sec-
8	tion 4 (in the matter preceding division A of this consoli-
9	dated Act): Provided, That such additional amount shall
10	be used for economic and community development in con-
11	junction with the priorities in section 403(a) of the Sur-
12	face Mining Control and Reclamation Act of 1977 (30
13	U.S.C. 1233(a)): Provided further, That of such additional
14	amount, \$75,000,000 shall be distributed in equa
15	amounts to the 3 Appalachian States with the greatest
16	amount of unfunded needs to meet the priorities described
17	in paragraphs (1) and (2) of such section, \$30,000,000
18	shall be distributed in equal amounts to the 3 Appalachian
19	States with the subsequent greatest amount of unfunded
20	needs to meet such priorities, and \$10,000,000 shall be
21	for grants to federally recognized Indian Tribes without
22	regard to their status as certified or uncertified under the
23	Surface Mining Control and Reclamation Act of 1977 (30
24	U.S.C. 1233(a)), for reclamation of abandoned mine lands
25	and other related activities in accordance with the terms



1	and conditions in the explanatory statement described in
2	section 4 (in the matter preceding division A of this con-
3	solidated Act) and shall be used for economic and commu-
4	nity development in conjunction with the priorities in sec-
5	tion 403(a) of the Surface Mining Control and Reclama-
6	tion Act of 1977: Provided further, That such additional
7	amount shall be allocated to States and Indian Tribes
8	within 60 days after the date of enactment of this Act.
9	BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
10	EDUCATION
11	OPERATION OF INDIAN PROGRAMS
12	(INCLUDING TRANSFER OF FUNDS)
13	For expenses necessary for the operation of Indian
14	programs, as authorized by law, including the Snyder Act
15	of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
16	termination and Education Assistance Act of 1975 (25
17	U.S.C. 5301 et seq.), the Education Amendments of 1978
18	(25 U.S.C. 2001–2019), and the Tribally Controlled
19	Schools Act of 1988 (25 U.S.C. 2501 et seq.),
20	\$2,414,577,000, to remain available until September 30,
21	2020, except as otherwise provided herein; of which not
22	to exceed \$8,500 may be for official reception and rep-
23	resentation expenses; of which not to exceed \$76,000,000
24	shall be for welfare assistance payments: Provided, That
25	in cases of designated Federal disasters, the Secretary



1	may exceed such cap, from the amounts provided herein,
2	to provide for disaster relief to Indian communities af-
3	fected by the disaster: $Provided\ further,$ That federally rec-
4	ognized Indian tribes and tribal organizations of federally
5	recognized Indian tribes may use their tribal priority allo-
6	cations for unmet welfare assistance costs: Provided fur-
7	ther, That not to exceed \$683,572,000 for school oper-
8	ations costs of Bureau-funded schools and other education
9	programs shall become available on July 1, 2019, and
10	shall remain available until September 30, 2020: Provided
11	further, That not to exceed \$55,174,000 shall remain
12	available until expended for housing improvement, road
13	maintenance, attorney fees, litigation support, land
14	records improvement, and the Navajo-Hopi Settlement
15	Program: Provided further, That notwithstanding any
16	other provision of law, including but not limited to the
17	Indian Self-Determination Act of 1975 (25 U.S.C. 5301
18	et seq.) and section 1128 of the Education Amendments
19	of 1978 (25 U.S.C. 2008), not to exceed \$82,935,000
20	within and only from such amounts made available for
21	school operations shall be available for administrative cost
22	grants associated with grants approved prior to July 1,
23	2019: Provided further, That any forestry funds allocated
24	to a federally recognized tribe which remain unobligated
25	as of September 30, 2020, may be transferred during fis-



- 1 cal year 2021 to an Indian forest land assistance account
- 2 established for the benefit of the holder of the funds within
- 3 the holder's trust fund account: Provided further, That
- 4 any such unobligated balances not so transferred shall ex-
- 5 pire on September 30, 2021: Provided further, That in
- 6 order to enhance the safety of Bureau field employees, the
- 7 Bureau may use funds to purchase uniforms or other iden-
- 8 tifying articles of clothing for personnel: Provided further,
- 9 That the Bureau of Indian Affairs may accept transfers
- 10 of funds from U.S. Customs and Border Protection to
- 11 supplement any other funding available for reconstruction
- 12 or repair of roads owned by the Bureau of Indian Affairs
- 13 as identified on the National Tribal Transportation Facil-
- 14 ity Inventory, 23 U.S.C. 202(b)(1).
- 15 CONTRACT SUPPORT COSTS
- 16 For payments to tribes and tribal organizations for
- 17 contract support costs associated with Indian Self-Deter-
- 18 mination and Education Assistance Act agreements with
- 19 the Bureau of Indian Affairs for fiscal year 2019, such
- 20 sums as may be necessary, which shall be available for
- 21 obligation through September 30, 2020: Provided, That
- 22 notwithstanding any other provision of law, no amounts
- 23 made available under this heading shall be available for
- 24 transfer to another budget account.



503

1	CONSTRUCTION
2	(INCLUDING TRANSFER OF FUNDS)
3	For construction, repair, improvement, and mainte-
4	nance of irrigation and power systems, buildings, utilities,
5	and other facilities, including architectural and engineer-
6	ing services by contract; acquisition of lands, and interests
7	in lands; and preparation of lands for farming, and for
8	construction of the Navajo Indian Irrigation Project pur-
9	suant to Public Law 87–483; \$358,719,000, to remain
10	available until expended: Provided, That such amounts as
11	may be available for the construction of the Navajo Indian
12	Irrigation Project may be transferred to the Bureau of
13	Reclamation: Provided further, That not to exceed 6 per-
14	cent of contract authority available to the Bureau of In-
15	dian Affairs from the Federal Highway Trust Fund may
16	be used to cover the road program management costs of
17	the Bureau: Provided further, That any funds provided for
18	the Safety of Dams program pursuant to the Act of No-
19	vember 2, 1921 (25 U.S.C. 13), shall be made available
20	on a nonreimbursable basis: Provided further, That for fis-
21	cal year 2019, in implementing new construction, replace-
22	ment facilities construction, or facilities improvement and
23	repair project grants in excess of \$100,000 that are pro-
24	vided to grant schools under Public Law 100–297, the
25	Secretary of the Interior shall use the Administrative and



- 1 Audit Requirements and Cost Principles for Assistance
- 2 Programs contained in part 12 of title 43, Code of Federal
- 3 Regulations, as the regulatory requirements: Provided fur-
- 4 ther, That such grants shall not be subject to section
- 5 12.61 of title 43, Code of Federal Regulations; the Sec-
- 6 retary and the grantee shall negotiate and determine a
- 7 schedule of payments for the work to be performed: Pro-
- 8 vided further, That in considering grant applications, the
- 9 Secretary shall consider whether such grantee would be
- 10 deficient in assuring that the construction projects con-
- 11 form to applicable building standards and codes and Fed-
- 12 eral, tribal, or State health and safety standards as re-
- 13 quired by section 1125(b) of title XI of Public Law 95-
- 14 561 (25 U.S.C. 2005(b)), with respect to organizational
- 15 and financial management capabilities: Provided further,
- 16 That if the Secretary declines a grant application, the Sec-
- 17 retary shall follow the requirements contained in section
- 18 5206(f) of Public Law 100–297 (25 U.S.C. 2504(f)): Pro-
- 19 vided further, That any disputes between the Secretary
- 20 and any grantee concerning a grant shall be subject to
- 21 the disputes provision in section 5208(e) of Public Law
- 22 107–110 (25 U.S.C. 2507(e)): *Provided further*, That in
- 23 order to ensure timely completion of construction projects,
- 24 the Secretary may assume control of a project and all
- 25 funds related to the project, if, within 18 months of the



- 1 date of enactment of this Act, any grantee receiving funds
- 2 appropriated in this Act or in any prior Act, has not com-
- 3 pleted the planning and design phase of the project and
- 4 commenced construction: Provided further, That this ap-
- 5 propriation may be reimbursed from the Office of the Spe-
- 6 cial Trustee for American Indians appropriation for the
- 7 appropriate share of construction costs for space expan-
- 8 sion needed in agency offices to meet trust reform imple-
- 9 mentation: Provided further, That of the funds made avail-
- 10 able under this heading, \$10,000,000 shall be derived
- 11 from the Indian Irrigation Fund established by section
- 12 3211 of the WIIN Act (Public Law 114–322; 130 Stat.
- 13 1749): Provided further, That for funds appropriated
- 14 under this heading, the date specified in section 3216 of
- 15 Public Law 114–322 shall be applied as substituting
- 16 "September 30, 2028" for "September 30, 2021".
- 17 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
- 18 MISCELLANEOUS PAYMENTS TO INDIANS
- 19 For payments and necessary administrative expenses
- 20 for implementation of Indian land and water claim settle-
- 21 ments pursuant to Public Laws 99–264, 100–580, 101–
- 22 618, 111–11, 111–291, and 114–322, and for implemen-
- 23 tation of other land and water rights settlements,
- 24 \$50,057,000, to remain available until expended: Pro-
- 25 vided, That the Secretary shall make payments in such



- 1 amounts as necessary to satisfy the total authorized
- 2 amount for the Navajo Nation Water Rights Trust Fund.
- 3 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT
- 4 For the cost of guaranteed loans and insured loans,
- 5 \$10,779,000, of which \$1,455,000 is for administrative
- 6 expenses, as authorized by the Indian Financing Act of
- 7 1974: Provided, That such costs, including the cost of
- 8 modifying such loans, shall be as defined in section 502
- 9 of the Congressional Budget Act of 1974: Provided fur-
- 10 ther, That these funds are available to subsidize total loan
- 11 principal, any part of which is to be guaranteed or insured,
- 12 not to exceed \$174,616,164.
- 13 ADMINISTRATIVE PROVISIONS
- 14 The Bureau of Indian Affairs may carry out the oper-
- 15 ation of Indian programs by direct expenditure, contracts,
- 16 cooperative agreements, compacts, and grants, either di-
- 17 rectly or in cooperation with States and other organiza-
- 18 tions.
- Notwithstanding Public Law 87–279 (25 U.S.C. 15),
- 20 the Bureau of Indian Affairs may contract for services in
- 21 support of the management, operation, and maintenance
- 22 of the Power Division of the San Carlos Irrigation Project.
- Notwithstanding any other provision of law, no funds
- 24 available to the Bureau of Indian Affairs for central office
- 25 oversight and Executive Direction and Administrative



- 1 Services (except executive direction and administrative
- 2 services funding for Tribal Priority Allocations, regional
- 3 offices, and facilities operations and maintenance) shall be
- 4 available for contracts, grants, compacts, or cooperative
- 5 agreements with the Bureau of Indian Affairs under the
- 6 provisions of the Indian Self-Determination Act or the
- 7 Tribal Self-Governance Act of 1994 (Public Law 103–
- 8 413).
- 9 In the event any tribe returns appropriations made
- 10 available by this Act to the Bureau of Indian Affairs, this
- 11 action shall not diminish the Federal Government's trust
- 12 responsibility to that tribe, or the government-to-govern-
- 13 ment relationship between the United States and that
- 14 tribe, or that tribe's ability to access future appropria-
- 15 tions.
- 16 Notwithstanding any other provision of law, no funds
- 17 available to the Bureau of Indian Education, other than
- 18 the amounts provided herein for assistance to public
- 19 schools under 25 U.S.C. 452 et seq., shall be available to
- 20 support the operation of any elementary or secondary
- 21 school in the State of Alaska.
- No funds available to the Bureau of Indian Edu-
- 23 cation shall be used to support expanded grades for any
- 24 school or dormitory beyond the grade structure in place
- 25 or approved by the Secretary of the Interior at each school



1	in the Bureau of Indian Education school system as of
2	October 1, 1995, except that the Secretary of the Interior
3	may waive this prohibition to support expansion of up to
4	one additional grade when the Secretary determines such
5	waiver is needed to support accomplishment of the mission
6	of the Bureau of Indian Education, or more than one
7	grade to expand the elementary grade structure for Bu-
8	reau-funded schools with a K-2 grade structure on Octo-
9	ber 1, 1996. Appropriations made available in this or any
10	prior Act for schools funded by the Bureau shall be avail-
11	able, in accordance with the Bureau's funding formula,
12	only to the schools in the Bureau school system as of Sep-
13	tember 1, 1996, and to any school or school program that
14	was reinstated in fiscal year 2012. Funds made available
15	under this Act may not be used to establish a charter
16	school at a Bureau-funded school (as that term is defined
17	in section 1141 of the Education Amendments of 1978
18	(25 U.S.C. 2021)), except that a charter school that is
19	in existence on the date of the enactment of this Act and
20	that has operated at a Bureau-funded school before Sep-
21	tember 1, 1999, may continue to operate during that pe-
22	riod, but only if the charter school pays to the Bureau
23	a pro rata share of funds to reimburse the Bureau for
24	the use of the real and personal property (including buses
25	and vans), the funds of the charter school are kept sepa-



- 1 rate and apart from Bureau funds, and the Bureau does
- 2 not assume any obligation for charter school programs of
- 3 the State in which the school is located if the charter
- 4 school loses such funding. Employees of Bureau-funded
- 5 schools sharing a campus with a charter school and per-
- 6 forming functions related to the charter school's operation
- 7 and employees of a charter school shall not be treated as
- 8 Federal employees for purposes of chapter 171 of title 28,
- 9 United States Code.
- Notwithstanding any other provision of law, including
- 11 section 113 of title I of appendix C of Public Law 106-
- 12 113, if in fiscal year 2003 or 2004 a grantee received indi-
- 13 rect and administrative costs pursuant to a distribution
- 14 formula based on section 5(f) of Public Law 101-301, the
- 15 Secretary shall continue to distribute indirect and admin-
- 16 istrative cost funds to such grantee using the section 5(f)
- 17 distribution formula.
- Funds available under this Act may not be used to
- 19 establish satellite locations of schools in the Bureau school
- 20 system as of September 1, 1996, except that the Secretary
- 21 may waive this prohibition in order for an Indian tribe
- 22 to provide language and cultural immersion educational
- 23 programs for non-public schools located within the juris-
- 24 dictional area of the tribal government which exclusively
- 25 serve tribal members, do not include grades beyond those



1	currently served at the existing Bureau-funded school,
2	provide an educational environment with educator pres-
3	ence and academic facilities comparable to the Bureau-
4	funded school, comply with all applicable Tribal, Federal,
5	or State health and safety standards, and the Americans
6	with Disabilities Act, and demonstrate the benefits of es-
7	tablishing operations at a satellite location in lieu of incur-
8	ring extraordinary costs, such as for transportation or
9	other impacts to students such as those caused by busing
10	students extended distances: $Provided$, That no funds
11	available under this Act may be used to fund operations,
12	maintenance, rehabilitation, construction or other facili-
13	ties-related costs for such assets that are not owned by
14	the Bureau: $Provided\ further,$ That the term "satellite
15	school" means a school location physically separated from
16	the existing Bureau school by more than 50 miles but that
17	forms part of the existing school in all other respects.
18	DEPARTMENTAL OFFICES
19	OFFICE OF THE SECRETARY
20	DEPARTMENTAL OPERATIONS
21	(INCLUDING TRANSFER OF FUNDS)
22	For necessary expenses for management of the De-
23	partment of the Interior and for grants and cooperative
24	agreements, as authorized by law, \$124,673,000, to re-
25	main available until September 30, 2020; of which not to



1	exceed \$15,000 may be for official reception and represen-
2	tation expenses; and of which up to $$1,000,000$ shall be
3	available for workers compensation payments and unem-
4	ployment compensation payments associated with the or-
5	derly closure of the United States Bureau of Mines; and
6	of which \$9,000,000 for the Office of Valuation Services
7	is to be derived from the Land and Water Conservation
8	Fund and shall remain available until expended; and of
9	which $\$9,704,000$ for Indian land, mineral, and resource
10	valuation activities shall remain available until expended:
11	Provided, That funds for Indian land, mineral, and re-
12	source valuation activities may, as needed, be transferred
13	to and merged with the Bureau of Indian Affairs and Bu-
14	reau of Indian Education "Operation of Indian Programs"
15	account and the Office of the Special Trustee for Amer-
16	ican Indians "Federal Trust Programs" account: $Provided$
17	further, That funds made available through contracts or
18	grants obligated during fiscal year 2019, as authorized by
19	the Indian Self-Determination Act of 1975 (25 U.S.C.
20	5301 et seq.), shall remain available until expended by the
21	contractor or grantee: Provided further, That of the
22	amounts made available under this heading, \$400,000
23	shall be made available to the commission established by
24	section 3(a) of the Alyce Spotted Bear and Walter



	1	Soboleff	Commission	on	Native	Children	Act	(Public	Law
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- 2 114–244; 130 Stat. 981).
- 3 Administrative provisions
- 4 For fiscal year 2019, up to \$400,000 of the payments
- 5 authorized by chapter 69 of title 31, United States Code,
- 6 may be retained for administrative expenses of the Pay-
- 7 ments in Lieu of Taxes Program: Provided, That the
- 8 amounts provided under this Act specifically for the Pay-
- 9 ments in Lieu of Taxes program are the only amounts
- 10 available for payments authorized under chapter 69 of
- 11 title 31, United States Code: Provided further, That in the
- 12 event the sums appropriated for any fiscal year for pay-
- 13 ments pursuant to this chapter are insufficient to make
- 14 the full payments authorized by that chapter to all units
- 15 of local government, then the payment to each local gov-
- 16 ernment shall be made proportionally: Provided further,
- 17 That the Secretary may make adjustments to payment to
- 18 individual units of local government to correct for prior
- 19 overpayments or underpayments: Provided further, That
- 20 no payment shall be made pursuant to that chapter to oth-
- 21 erwise eligible units of local government if the computed
- 22 amount of the payment is less than \$100.

513

1	Insular Affairs
2	ASSISTANCE TO TERRITORIES
3	For expenses necessary for assistance to territories
4	under the jurisdiction of the Department of the Interior
5	and other jurisdictions identified in section 104(e) of Pub-
6	lie Law 108–188, \$100,688,000, of which: (1)
7	\$91,240,000 shall remain available until expended for ter-
8	ritorial assistance, including general technical assistance,
9	maintenance assistance, disaster assistance, coral reef ini-
10	tiative activities, and brown tree snake control and re-
11	search; grants to the judiciary in American Samoa for
12	compensation and expenses, as authorized by law (48
13	U.S.C. 1661(c)); grants to the Government of American
14	Samoa, in addition to current local revenues, for construc-
15	tion and support of governmental functions; grants to the
16	Government of the Virgin Islands, as authorized by law;
17	grants to the Government of Guam, as authorized by law;
18	and grants to the Government of the Northern Mariana
19	Islands , as authorized by law (Public Law 94–241; 90
20	Stat. 272); and (2) \$9,448,000 shall be available until
21	September 30, 2020, for salaries and expenses of the Of-
22	fice of Insular Affairs: Provided, That all financial trans-
23	actions of the territorial and local governments herein pro-
24	vided for, including such transactions of all agencies or
25	instrumentalities established or used by such governments.



- 1 may be audited by the Government Accountability Office,
- 2 at its discretion, in accordance with chapter 35 of title
- 3 31, United States Code: Provided further, That Northern
- 4 Mariana Islands Covenant grant funding shall be provided
- 5 according to those terms of the Agreement of the Special
- 6 Representatives on Future United States Financial Assist-
- 7 ance for the Northern Mariana Islands approved by Public
- 8 Law 104–134: Provided further, That the funds for the
- 9 program of operations and maintenance improvement are
- 10 appropriated to institutionalize routine operations and
- 11 maintenance improvement of capital infrastructure with
- 12 territorial participation and cost sharing to be determined
- 13 by the Secretary based on the grantee's commitment to
- 14 timely maintenance of its capital assets: Provided further,
- 15 That any appropriation for disaster assistance under this
- 16 heading in this Act or previous appropriations Acts may
- 17 be used as non–Federal matching funds for the purpose
- 18 of hazard mitigation grants provided pursuant to section
- 19 404 of the Robert T. Stafford Disaster Relief and Emer-
- 20 gency Assistance Act (42 U.S.C. 5170c).
- 21 COMPACT OF FREE ASSOCIATION
- For grants and necessary expenses, \$3,413,000, to
- 23 remain available until expended, as provided for in sec-
- 24 tions 221(a)(2) and 233 of the Compact of Free Associa-
- 25 tion for the Republic of Palau; and section 221(a)(2) of



1	the Compacts of Free Association for the Government of
2	the Republic of the Marshall Islands and the Federated
3	States of Micronesia, as authorized by Public Law 99-
4	658 and Public Law 108–188.
5	Administrative Provisions
6	(INCLUDING TRANSFER OF FUNDS)
7	At the request of the Governor of Guam, the Sec-
8	retary may transfer discretionary funds or mandatory
9	funds provided under section 104(e) of Public Law 108-
10	188 and Public Law 104–134, that are allocated for
11	Guam, to the Secretary of Agriculture for the subsidy cost
12	of direct or guaranteed loans, plus not to exceed three per-
13	cent of the amount of the subsidy transferred for the cost
14	of loan administration, for the purposes authorized by the
15	Rural Electrification Act of 1936 and section 306(a)(1)
16	of the Consolidated Farm and Rural Development Act for
17	construction and repair projects in Guam, and such funds
18	shall remain available until expended: Provided, That such
19	costs, including the cost of modifying such loans, shall be
20	as defined in section 502 of the Congressional Budget Act
21	of 1974: Provided further, That such loans or loan guaran-
22	tees may be made without regard to the population of the
23	area, credit elsewhere requirements, and restrictions or
24	the types of eligible entities under the Rural Electrifica-
25	tion Act of 1936 and section 306(a)(1) of the Consolidated



1	Farm and Rural Development Act: Provided further, That
2	any funds transferred to the Secretary of Agriculture shall
3	be in addition to funds otherwise made available to make
4	or guarantee loans under such authorities.
5	OFFICE OF THE SOLICITOR
6	SALARIES AND EXPENSES
7	For necessary expenses of the Office of the Solicitor,
8	\$65,674,000.
9	OFFICE OF INSPECTOR GENERAL
10	SALARIES AND EXPENSES
11	For necessary expenses of the Office of Inspector
12	General, \$52,486,000.
13	OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN
14	Indians
15	FEDERAL TRUST PROGRAMS
16	(INCLUDING TRANSFER OF FUNDS)
17	For the operation of trust programs for Indians by
18	direct expenditure, contracts, cooperative agreements,
19	compacts, and grants, $\$111,540,000$, to remain available
20	until expended, of which not to exceed \$19,016,000 from
21	this or any other Act, may be available for historical ac-
22	counting: Provided, That funds for trust management im-
23	provements and litigation support may, as needed, be
24	transferred to or merged with the Bureau of Indian Af-
25	fairs and Bureau of Indian Education, "Operation of In-



1	dian Programs" account; the Office of the Solicitor, "Sala-
2	ries and Expenses" account; and the Office of the Sec-
3	retary, "Departmental Operations" account: $Provided\ fur$
4	ther, That funds made available through contracts or
5	grants obligated during fiscal year 2019, as authorized by
6	the Indian Self-Determination Act of 1975 (25 U.S.C.
7	5301 et seq.), shall remain available until expended by the
8	contractor or grantee: Provided further, That notwith-
9	standing any other provision of law, the Secretary shall
10	not be required to provide a quarterly statement of per-
11	formance for any Indian trust account that has not had
12	activity for at least 15 months and has a balance of $\$15$
13	or less: Provided further, That the Secretary shall issue
14	an annual account statement and maintain a record of any
15	such accounts and shall permit the balance in each such
16	account to be withdrawn upon the express written request
17	of the account holder: $Provided\ further,$ That not to exceed
18	\$50,000 is available for the Secretary to make payments
19	to correct administrative errors of either disbursements
20	from or deposits to Individual Indian Money or Tribal ac-
21	counts after September 30, 2002: Provided further, That
22	erroneous payments that are recovered shall be credited
23	to and remain available in this account for this purpose:
24	Provided further, That the Secretary shall not be required



25 to reconcile Special Deposit Accounts with a balance of

1	less than \$500 unless the Office of the Special Trustee
2	receives proof of ownership from a Special Deposit Ac-
3	counts claimant: Provided further, That notwithstanding
4	section 102 of the American Indian Trust Fund Manage-
5	ment Reform Act of 1994 (Public Law 103–412) or any
6	other provision of law, the Secretary may aggregate the
7	trust accounts of individuals whose whereabouts are un-
8	known for a continuous period of at least five years and
9	shall not be required to generate periodic statements of
10	performance for the individual accounts: $Provided\ further,$
11	That with respect to the eighth proviso, the Secretary shall
12	continue to maintain sufficient records to determine the
13	balance of the individual accounts, including any accrued
14	interest and income, and such funds shall remain available
15	to the individual account holders.
16	Department-wide Programs
17	WILDLAND FIRE MANAGEMENT
18	(INCLUDING TRANSFERS OF FUNDS)
19	For necessary expenses for fire preparedness, fire
20	suppression operations, fire science and research, emer-
21	gency rehabilitation, fuels management activities, and
22	rural fire assistance by the Department of the Interior,
23	\$941,211,000, to remain available until expended, of
24	which not to exceed $\$18,427,000$ shall be for the renova-
25	tion or construction of fire facilities: Provided, That such



- 1 funds are also available for repayment of advances to
- 2 other appropriation accounts from which funds were pre-
- 3 viously transferred for such purposes: Provided further,
- 4 That of the funds provided \$189,000,000 is for fuels man-
- 5 agement activities: Provided further, That of the funds
- 6 provided \$20,470,000 is for burned area rehabilitation:
- 7 Provided further, That persons hired pursuant to 43
- 8 U.S.C. 1469 may be furnished subsistence and lodging
- 9 without cost from funds available from this appropriation:
- 10 Provided further, That notwithstanding 42 U.S.C. 1856d,
- 11 sums received by a bureau or office of the Department
- 12 of the Interior for fire protection rendered pursuant to 42
- 13 U.S.C. 1856 et seq., protection of United States property,
- 14 may be credited to the appropriation from which funds
- 15 were expended to provide that protection, and are avail-
- 16 able without fiscal year limitation: Provided further, That
- 17 using the amounts designated under this title of this Act,
- 18 the Secretary of the Interior may enter into procurement
- 19 contracts, grants, or cooperative agreements, for fuels
- 20 management activities, and for training and monitoring
- 21 associated with such fuels management activities on Fed-
- 22 eral land, or on adjacent non-Federal land for activities
- 23 that benefit resources on Federal land: Provided further,
- 24 That the costs of implementing any cooperative agreement
- 25 between the Federal Government and any non-Federal en-



1	tity may be shared, as mutually agreed on by the affected
2	parties: Provided further, That notwithstanding require-
3	ments of the Competition in Contracting Act, the Sec-
4	retary, for purposes of fuels management activities, may
5	obtain maximum practicable competition among: (1) local
6	private, nonprofit, or cooperative entities; (2) Youth Con-
7	servation Corps crews, Public Lands Corps (Public Law
8	109–154), or related partnerships with State, local, or
9	nonprofit youth groups; (3) small or micro-businesses; or
10	(4) other entities that will hire or train locally a significant
11	percentage, defined as 50 percent or more, of the project
12	workforce to complete such contracts: $Provided\ further,$
13	That in implementing this section, the Secretary shall de-
14	velop written guidance to field units to ensure account-
15	ability and consistent application of the authorities pro-
16	vided herein: $Provided\ further,\ That\ funds\ appropriated$
17	under this heading may be used to reimburse the United
18	States Fish and Wildlife Service and the National Marine
19	Fisheries Service for the costs of carrying out their re-
20	sponsibilities under the Endangered Species Act of 1973
21	(16 U.S.C. 1531 et seq.) to consult and conference, as
22	required by section 7 of such Act, in connection with
23	wildland fire management activities: Provided further,
24	That the Secretary of the Interior may use wildland fire
25	appropriations to enter into leases of real property with



1	local governments, at or below fair market value, to con-
2	struct capitalized improvements for fire facilities on such
3	leased properties, including but not limited to fire guard
4	stations, retardant stations, and other initial attack and
5	fire support facilities, and to make advance payments for
6	any such lease or for construction activity associated with
7	the lease: Provided further, That the Secretary of the Inte-
8	rior and the Secretary of Agriculture may authorize the
9	transfer of funds appropriated for wildland fire manage-
10	ment, in an aggregate amount not to exceed \$50,000,000
11	between the Departments when such transfers would fa-
12	cilitate and expedite wildland fire management programs
13	and projects: Provided further, That funds provided for
14	wildfire suppression shall be available for support of Fed-
15	eral emergency response actions: Provided further, That
16	funds appropriated under this heading shall be available
17	for assistance to or through the Department of State in
18	connection with forest and rangeland research, technical
19	information, and assistance in foreign countries, and, with
20	the concurrence of the Secretary of State, shall be avail-
21	able to support forestry, wildland fire management, and
22	related natural resource activities outside the United
23	States and its territories and possessions, including tech-
24	nical assistance, education and training, and cooperation
25	with United States and international organizations



1	CENTRAL HAZARDOUS MATERIALS FUND
2	For necessary expenses of the Department of the In-
3	terior and any of its component offices and bureaus for
4	the response action, including associated activities, per-
5	formed pursuant to the Comprehensive Environmental Re-
6	sponse, Compensation, and Liability Act (42 U.S.C. 9601
7	et seq.), \$10,010,000, to remain available until expended.
8	NATURAL RESOURCE DAMAGE ASSESSMENT AND
9	RESTORATION
10	NATURAL RESOURCE DAMAGE ASSESSMENT FUND
11	To conduct natural resource damage assessment, res-
12	toration activities, and onshore oil spill preparedness by
13	the Department of the Interior necessary to carry out the
14	provisions of the Comprehensive Environmental Response,
15	Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
16	the Federal Water Pollution Control Act (33 U.S.C. 1251
17	et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
18	et seq.), and 54 U.S.C. 100721 et seq., \$7,767,000, to
19	remain available until expended.
20	WORKING CAPITAL FUND
21	For the operation and maintenance of a departmental
22	financial and business management system, information
23	technology improvements of general benefit to the Depart-
24	ment, cybersecurity, and the consolidation of facilities and
25	operations throughout the Department \$55,735,000 to



1	remain available until expended: Provided, That none of
2	the funds appropriated in this Act or any other Act may
3	be used to establish reserves in the Working Capital Fund
4	account other than for accrued annual leave and deprecia-
5	tion of equipment without prior approval of the Commit-
6	tees on Appropriations of the House of Representatives
7	and the Senate: Provided further, That the Secretary may
8	assess reasonable charges to State, local and tribal govern-
9	ment employees for training services provided by the Na-
10	tional Indian Program Training Center, other than train-
11	ing related to Public Law 93–638: Provided further, That
12	the Secretary may lease or otherwise provide space and
13	related facilities, equipment or professional services of the
14	National Indian Program Training Center to State, local
15	and tribal government employees or persons or organiza-
16	tions engaged in cultural, educational, or recreational ac-
17	tivities (as defined in section 3306(a) of title 40, United
18	States Code) at the prevailing rate for similar space, facili-
19	ties, equipment, or services in the vicinity of the National
20	Indian Program Training Center: Provided further, That
21	all funds received pursuant to the two preceding provisos
22	shall be credited to this account, shall be available until
23	expended, and shall be used by the Secretary for necessary
24	expenses of the National Indian Program Training Center: $ \\$
25	Provided further, That the Secretary may enter into grants



- 1 and cooperative agreements to support the Office of Nat-
- 2 ural Resource Revenue's collection and disbursement of
- 3 royalties, fees, and other mineral revenue proceeds, as au-
- 4 thorized by law.
- 5 ADMINISTRATIVE PROVISION
- 6 There is hereby authorized for acquisition from avail-
- 7 able resources within the Working Capital Fund, aircraft
- 8 which may be obtained by donation, purchase or through
- 9 available excess surplus property: *Provided*, That existing
- 10 aircraft being replaced may be sold, with proceeds derived
- 11 or trade-in value used to offset the purchase price for the
- 12 replacement aircraft.
- 13 OFFICE OF NATURAL RESOURCES REVENUE
- 14 For necessary expenses for management of the collec-
- 15 tion and disbursement of royalties, fees, and other mineral
- 16 revenue proceeds, and for grants and cooperative agree-
- 17 ments, as authorized by law, \$137,505,000, to remain
- 18 available until September 30, 2020; of which \$41,727,000
- 19 shall remain available until expended for the purpose of
- 20 mineral revenue management activities: Provided, That
- 21 notwithstanding any other provision of law, \$15,000 shall
- 22 be available for refunds of overpayments in connection
- 23 with certain Indian leases in which the Secretary con-
- 24 curred with the claimed refund due, to pay amounts owed



1	to	Indian	allottees	or	tribes,	or	to	correct	prior	unrecover-

- 2 able erroneous payments.
- 3 General Provisions, Department of the Interior
- 4 (INCLUDING TRANSFERS OF FUNDS)
- 5 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU
- 6 Sec. 101. Appropriations made in this title shall be
- 7 available for expenditure or transfer (within each bureau
- 8 or office), with the approval of the Secretary, for the emer-
- 9 gency reconstruction, replacement, or repair of aircraft,
- 10 buildings, utilities, or other facilities or equipment dam-
- 11 aged or destroyed by fire, flood, storm, or other unavoid-
- 12 able causes: Provided, That no funds shall be made avail-
- 13 able under this authority until funds specifically made
- 14 available to the Department of the Interior for emer-
- 15 gencies shall have been exhausted: Provided further, That
- 16 all funds used pursuant to this section must be replenished
- 17 by a supplemental appropriation, which must be requested
- 18 as promptly as possible.
- 19 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE
- 20 Sec. 102. The Secretary may authorize the expendi-
- 21 ture or transfer of any no year appropriation in this title,
- 22 in addition to the amounts included in the budget pro-
- 23 grams of the several agencies, for the suppression or emer-
- 24 gency prevention of wildland fires on or threatening lands
- 25 under the jurisdiction of the Department of the Interior;



1	for the emergency rehabilitation of burned-over lands
2	under its jurisdiction; for emergency actions related to po-
3	tential or actual earthquakes, floods, volcanoes, storms, or
4	other unavoidable causes; for contingency planning subse-
5	quent to actual oil spills; for response and natural resource
6	damage assessment activities related to actual oil spills or
7	releases of hazardous substances into the environment; for
8	the prevention, suppression, and control of actual or po-
9	tential grasshopper and Mormon cricket outbreaks on
10	lands under the jurisdiction of the Secretary, pursuant to
11	the authority in section 417(b) of Public Law 106–224
12	(7 U.S.C. 7717(b)); for emergency reclamation projects
13	under section 410 of Public Law 95–87; and shall trans-
14	fer, from any no year funds available to the Office of Sur-
15	face Mining Reclamation and Enforcement, such funds as
16	may be necessary to permit assumption of regulatory au-
17	thority in the event a primacy State is not carrying out
18	the regulatory provisions of the Surface Mining Act: Pro-
19	vided, That appropriations made in this title for wildland
20	fire operations shall be available for the payment of obliga-
21	tions incurred during the preceding fiscal year, and for
22	reimbursement to other Federal agencies for destruction
23	of vehicles, aircraft, or other equipment in connection with
24	their use for wildland fire operations, with such reimburse-
25	ment to be credited to appropriations currently available



- 1 at the time of receipt thereof: Provided further, That for
- 2 wildland fire operations, no funds shall be made available
- 3 under this authority until the Secretary determines that
- 4 funds appropriated for "wildland fire suppression" shall
- 5 be exhausted within 30 days: Provided further, That all
- 6 funds used pursuant to this section must be replenished
- 7 by a supplemental appropriation, which must be requested
- 8 as promptly as possible: Provided further, That such re-
- 9 plenishment funds shall be used to reimburse, on a pro
- 10 rata basis, accounts from which emergency funds were
- 11 transferred.
- 12 AUTHORIZED USE OF FUNDS
- 13 Sec. 103. Appropriations made to the Department
- 14 of the Interior in this title shall be available for services
- 15 as authorized by section 3109 of title 5, United States
- 16 Code, when authorized by the Secretary, in total amount
- 17 not to exceed \$500,000; purchase and replacement of
- 18 motor vehicles, including specially equipped law enforce-
- 19 ment vehicles; hire, maintenance, and operation of air-
- 20 craft; hire of passenger motor vehicles; purchase of re-
- 21 prints; payment for telephone service in private residences
- 22 in the field, when authorized under regulations approved
- 23 by the Secretary; and the payment of dues, when author-
- 24 ized by the Secretary, for library membership in societies
- 25 or associations which issue publications to members only



1	or at a price to members lower than to subscribers who
2	are not members.
3	AUTHORIZED USE OF FUNDS, INDIAN TRUST
4	MANAGEMENT
5	Sec. 104. Appropriations made in this Act under the
6	headings Bureau of Indian Affairs and Bureau of Indian
7	Education, and Office of the Special Trustee for American
8	Indians and any unobligated balances from prior appro-
9	priations Acts made under the same headings shall be
10	available for expenditure or transfer for Indian trust man-
11	agement and reform activities. Total funding for historical
12	accounting activities shall not exceed amounts specifically
13	designated in this Act for such purpose.
14	REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
15	AFFAIRS
16	Sec. 105. Notwithstanding any other provision of
17	law, the Secretary of the Interior is authorized to redis-
18	tribute any Tribal Priority Allocation funds, including
19	tribal base funds, to alleviate tribal funding inequities by
20	transferring funds to address identified, unmet needs,
21	dual enrollment, overlapping service areas or inaccurate
22	distribution methodologies. No tribe shall receive a reduc-
23	tion in Tribal Priority Allocation funds of more than 10
24	percent in fiscal year 2019. Under circumstances of dual
25	enrollment overlapping service areas or inaccurate dis-



- 1 tribution methodologies, the 10 percent limitation does not
- 2 apply.
- 3 ELLIS, GOVERNORS, AND LIBERTY ISLANDS
- 4 Sec. 106. Notwithstanding any other provision of
- 5 law, the Secretary of the Interior is authorized to acquire
- 6 lands, waters, or interests therein including the use of all
- 7 or part of any pier, dock, or landing within the State of
- 8 New York and the State of New Jersey, for the purpose
- 9 of operating and maintaining facilities in the support of
- 10 transportation and accommodation of visitors to Ellis,
- 11 Governors, and Liberty Islands, and of other program and
- 12 administrative activities, by donation or with appropriated
- 13 funds, including franchise fees (and other monetary con-
- 14 sideration), or by exchange; and the Secretary is author-
- 15 ized to negotiate and enter into leases, subleases, conces-
- 16 sion contracts or other agreements for the use of such fa-
- 17 cilities on such terms and conditions as the Secretary may
- 18 determine reasonable.
- 19 OUTER CONTINENTAL SHELF INSPECTION FEES
- Sec. 107. (a) In fiscal year 2019, the Secretary shall
- 21 collect a nonrefundable inspection fee, which shall be de-
- 22 posited in the "Offshore Safety and Environmental En-
- 23 forcement" account, from the designated operator for fa-
- 24 cilities subject to inspection under 43 U.S.C. 1348(c).



1	(b) Annual fees shall be collected for facilities that
2	are above the waterline, excluding drilling rigs, and are
3	in place at the start of the fiscal year. Fees for fiscal year
4	2019 shall be:
5	(1) \$10,500 for facilities with no wells, but with
6	processing equipment or gathering lines;
7	(2) \$17,000 for facilities with 1 to 10 wells
8	with any combination of active or inactive wells; and
9	(3) \$31,500 for facilities with more than 10
10	wells, with any combination of active or inactive
11	wells.
12	(c) Fees for drilling rigs shall be assessed for all in-
13	spections completed in fiscal year 2019. Fees for fiscal
14	year 2019 shall be:
15	(1) \$30,500 per inspection for rigs operating in
16	water depths of 500 feet or more; and
17	(2) \$16,700 per inspection for rigs operating in
18	water depths of less than 500 feet.
19	(d) The Secretary shall bill designated operators
20	under subsection (b) within 60 days, with payment re-
21	quired within 30 days of billing. The Secretary shall bill
22	designated operators under subsection (c) within 30 days
23	of the end of the month in which the inspection occurred
24	with payment required within 30 days of billing.



1	BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
2	AND ENFORCEMENT REORGANIZATION
3	Sec. 108. The Secretary of the Interior, in order to
4	implement a reorganization of the Bureau of Ocean En-
5	ergy Management, Regulation and Enforcement, may
6	transfer funds among and between the successor offices
7	and bureaus affected by the reorganization only in con-
8	formance with the reprogramming guidelines described in
9	the explanatory statement described in section 4 (in the
10	matter preceding division A of this consolidated Act).
11	CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
12	BURRO HOLDING FACILITIES
13	Sec. 109. Notwithstanding any other provision of
13 14	SEC. 109. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into
14	this Act, the Secretary of the Interior may enter into
14 15	this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organiza- tions and other appropriate entities, and may enter into
14 15 16 17	this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organiza- tions and other appropriate entities, and may enter into
14 15 16	this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that
14 15 16 17	this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that
14 15 16 17 18 19 20	this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not
14 15 16 17 18	this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess
14 15 16 17 18 19 20	this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations



1	MASS MARKING OF SALMONIDS
2	SEC. 110. The United States Fish and Wildlife Serv-
3	ice shall, in carrying out its responsibilities to protect
4	threatened and endangered species of salmon, implement
5	a system of mass marking of salmonid stocks, intended
6	for harvest, that are released from federally operated or
7	federally financed hatcheries including but not limited to
8	fish releases of coho, chinook, and steelhead species.
9	Marked fish must have a visible mark that can be readily
10	identified by commercial and recreational fishers.
11	CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS
12	SEC. 111. Notwithstanding any other provision of
13	law, during fiscal year 2019, in carrying out work involv-
14	ing cooperation with State, local, and tribal governments
15	or any political subdivision thereof, Indian Affairs may
16	record obligations against accounts receivable from any
17	such entities, except that total obligations at the end of
18	the fiscal year shall not exceed total budgetary resources
19	available at the end of the fiscal year.
20	HUMANE TRANSFER OF EXCESS ANIMALS
21	Sec. 112. Notwithstanding any other provision of
22	law, the Secretary of the Interior may transfer excess wild
23	horses or burros that have been removed from the public
24	lands to other Federal, State, and local government agen-
25	cies for use as work animals. Provided That the Secretary



1	may	make	any	such	transfer	immediately	v upon	request	of
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- 2 such Federal, State, or local government agency: Provided
- 3 further, That any excess animal transferred under this
- 4 provision shall lose its status as a wild free-roaming horse
- 5 or burro as defined in the Wild Free-Roaming Horses and
- 6 Burros Act: Provided further, That any Federal, State, or
- 7 local government agency receiving excess wild horses or
- 8 burros as authorized in this section shall not: destroy the
- 9 horses or burros in a way that results in their destruction
- 10 into commercial products; sell or otherwise transfer the
- 11 horses or burros in a way that results in their destruction
- 12 for processing into commercial products; or euthanize the
- 13 horses or burros except upon the recommendation of a li-
- 14 censed veterinarian, in cases of severe injury, illness, or
- 15 advanced age.
- 16 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
- 17 PROGRAM
- 18 Sec. 113. (a) Notwithstanding any other provision
- 19 of law relating to Federal grants and cooperative agree-
- 20 ments, the Secretary of the Interior is authorized to make
- 21 grants to, or enter into cooperative agreements with, pri-
- 22 vate nonprofit organizations designated by the Secretary
- 23 of Labor under title V of the Older Americans Act of 1965
- 24 to utilize the talents of older Americans in programs au-



1	thorized by other provisions of law administered by the
2	Secretary and consistent with such provisions of law.
3	(b) Prior to awarding any grant or agreement under
4	subsection (a), the Secretary shall ensure that the agree-
5	ment would not—
6	(1) result in the displacement of individuals
7	currently employed by the Department, including
8	partial displacement through reduction of non-over-
9	time hours, wages, or employment benefits;
10	(2) result in the use of an individual under the
11	Department of the Interior Experienced Services
12	Program for a job or function in a case in which a
13	Federal employee is in a layoff status from the same
14	or substantially equivalent job within the Depart-
15	ment; or
16	(3) affect existing contracts for services.
17	CONTRIBUTION AUTHORITY
18	Sec. 114. Section 113 of Division G of Public Law
19	113–76 is amended by striking "2019," and inserting
20	"2024,".
21	INDIANA DUNES NATIONAL LAKESHORE RETITLED; PAUL
22	H. DOUGLAS TRAIL REDESIGNATION
23	Sec. 115. (a) Indiana Dunes National Lake
24	SHOPE PERMIT ED



1	(1) In general.—Public Law 89–761 (16
2	U.S.C. 460u et seq.) is amended—
3	(A) by striking "National Lakeshore" and
4	"national lakeshore" each place it appears and
5	inserting "National Park"; and
6	(B) by striking "lakeshore" each place it
7	appears and inserting "Park".
8	(2) Nonapplication.—The amendment made
9	by subsection (a)(1) shall not apply to—
10	(A) the title of the map referred to in the
11	first section of Public Law 89–761 (16 U.S.C
12	460u); and
13	(B) the title of the maps referred to in sec-
14	tion 4 of Public Law 89–761 (16 U.S.C. 460u-
15	3).
16	(b) Paul H. Douglas Trail Redesignation.—
17	The 1.6 mile trail within the Indiana Dunes National Park
18	designated the "Miller-Woods Trail" is hereby redesign
19	nated as the "Paul H. Douglas Trail".
20	PAYMENTS IN LIEU OF TAXES (PILT)
21	SEC. 116. Section 6906 of title 31, United States
22	Code, is amended by striking "fiscal year 2018" and in-
23	serting "fiscal year 2019"



1	TECHNICAL CORRECTION
2	SEC. 117. Division II of Public Law 104–333 (54)
3	U.S.C. 320101 note), as amended by section 116(b)(2) of
4	Public Law 114–113, is amended in each of sections 208
5	310, and 607, by striking "2017" and inserting "2019"
6	DESIGNATION OF PETER B, WEBSTER III MEMORIAL AREA
7	Sec. 118. (a)(1) The rest area bound by Alexandria
8	Avenue, West Boulevard Drive, and the George Wash-
9	ington Memorial Parkway on the Mount Vernon Trai
10	within the George Washington Memorial Parkway is des-
11	ignated as the "Peter B. Webster III Memorial Area".
12	(2) Any reference in a law, map, regulation, docu-
13	ment, paper, or other record of the United States to the
14	rest area described in paragraph (1) shall be deemed to
15	be a reference to the "Peter B. Webster III Memoria
16	Area".
17	(b)(1) A plaque honoring Peter B. Webster III may
18	be installed at the Peter B. Webster III Memorial Area
19	on a signpost, bench, or other appropriate structure, or
20	the condition that the Director of the National Park Serv-
21	ice shall approve the design and placement of the plaque
22	(2) No Federal funds may be used to design, procure
23	prepare, or install the plaque authorized under paragraph
24	(1).



1	(3) The Secretary of the Interior may accept and ex-
2	pend private contributions for the design, procurement,
3	preparation, and installation of the plaque authorized
4	under paragraph (1).
5	OBLIGATION OF FUNDS
6	Sec. 119. Amounts appropriated by this Act to the
7	Department of the Interior shall be available for obligation
8	and expenditure not later than 60 days after the date of
9	enactment of this Act.
10	SAGE-GROUSE
10 11	SAGE-GROUSE SEC. 120. None of the funds made available by this
11	Sec. 120. None of the funds made available by this
11 12	SEC. 120. None of the funds made available by this or any other Act may be used by the Secretary of the Inte-
11 12 13	SEC. 120. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endan-
11 12 13 14	SEC. 120. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—
11 12 13 14 15	SEC. 120. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)— (1) a proposed rule for greater sage-grouse



1	TITLE II
2	ENVIRONMENTAL PROTECTION AGENCY
3	SCIENCE AND TECHNOLOGY
4	(INCLUDING RESCISSION OF FUNDS)
5	For science and technology, including research and
6	development activities, which shall include research and
7	development activities under the Comprehensive Environ
8	mental Response, Compensation, and Liability Act of
9	1980; necessary expenses for personnel and related costs
10	and travel expenses; procurement of laboratory equipment
11	and supplies; and other operating expenses in support of
12	research and development, \$717,723,000, to remain avail
13	able until September 30, 2020: Provided, That of the
14	funds included under this heading, \$5,000,000 shall be for
15	Research: National Priorities as specified in the explana
16	tory statement described in section 4 (in the matter pre
17	ceding division A of this consolidated Act): Provided fur
18	ther, That of the unobligated balances from appropriations
19	made available under this heading, \$11,250,000 are per
20	manently rescinded: Provided further, That no amounts
21	may be rescinded pursuant to the preceding proviso from
22	amounts made available in the first proviso for Research
23	National Priorities



1	Environmental Programs and Management
2	(INCLUDING RESCISSION OF FUNDS)
3	For environmental programs and management, in-
4	cluding necessary expenses, not otherwise provided for, for
5	personnel and related costs and travel expenses; hire of
6	passenger motor vehicles; hire, maintenance, and oper-
7	ation of aircraft; purchase of reprints; library member-
8	ships in societies or associations which issue publications
9	to members only or at a price to members lower than to
10	subscribers who are not members; administrative costs of
11	the brownfields program under the Small Business Liabil-
12	ity Relief and Brownfields Revitalization Act of 2002; im-
13	plementation of a coal combustion residual permit pro-
14	gram under section 2301 of the Water and Waste Act of
15	2016; and not to exceed \$9,000 for official reception and
16	representation expenses, \$2,658,200,000, to remain avail-
17	able until September 30, 2020: Provided, That of the
18	funds included under this heading, \$15,000,000 shall be
19	for Environmental Protection: National Priorities as speci-
20	fied in the explanatory statement described in section 4
21	(in the matter preceding division A of this consolidated
22	Act): Provided further, That of the funds included under
23	this heading, \$456,958,000 shall be for Geographic Pro-
24	grams specified in the explanatory statement described in
25	section 4 (in the matter preceding division A of this con-



- 1 solidated Act): Provided further, That of the unobligated
- 2 balances from appropriations made available under this
- 3 heading, \$60,201,000 are permanently rescinded: Pro-
- 4 vided further, That no amounts may be rescinded pursuant
- 5 to the preceding proviso from amounts made available in
- 6 the first proviso for Environmental Protection: National
- 7 Priorities, from amounts made available in the second pro-
- 8 viso for Geographic Programs, or from the National Estu-
- 9 ary Program (33 U.S.C. 1330).
- In addition, \$5,000,000 to remain available until ex-
- 11 pended, for necessary expenses of activities described in
- 12 section 26(b)(1) of the Toxic Substances Control Act (15
- 13 U.S.C. 2625(b)(1)): Provided, That fees collected pursu-
- 14 ant to that section of that Act and deposited in the "TSCA
- 15 Service Fee Fund" as discretionary offsetting receipts in
- 16 fiscal year 2019 shall be retained and used for necessary
- 17 salaries and expenses in this appropriation and shall re-
- 18 main available until expended: Provided further, That the
- 19 sum herein appropriated in this paragraph from the gen-
- 20 eral fund for fiscal year 2019 shall be reduced by the
- 21 amount of discretionary offsetting receipts received during
- 22 fiscal year 2019, so as to result in a final fiscal year 2019
- 23 appropriation from the general fund estimated at not more
- 24 than \$0: Provided further, That to the extent that amounts
- 25 realized from such receipts exceed \$5,000,000, those



- 1 amount in excess of \$5,000,000 shall be deposited in the
- 2 "TSCA Service Fee Fund" as discretionary offsetting re-
- 3 ceipts in fiscal year 2019, shall be retained and used for
- 4 necessary salaries and expenses in this account, and shall
- 5 remain available until expended: Provided further, That of
- 6 the funds included in the first paragraph under this head-
- 7 ing, the Chemical Risk Review and Reduction program
- 8 project shall be allocated for this fiscal year, excluding the
- 9 amount of any fees appropriated, not less than the amount
- 10 of appropriations for that program project for fiscal year
- 11 2014.
- 12 Hazardous Waste Electronic Manifest System
- 13 Fund
- 14 For necessary expenses to carry out section 3024 of
- 15 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
- 16 ing the development, operation, maintenance, and upgrad-
- 17 ing of the hazardous waste electronic manifest system es-
- 18 tablished by such section, \$8,000,000, to remain available
- 19 until expended: *Provided*, That the sum herein appro-
- 20 priated from the general fund shall be reduced as offset-
- 21 ting collections under such section 3024 are received dur-
- 22 ing fiscal year 2019, which shall remain available until ex-
- 23 pended and be used for necessary expenses in this appro-
- 24 priation, so as to result in a final fiscal year 2019 appro-
- 25 priation from the general fund estimated at not more than



1 \$0:	: Pr	ovided	further.	That	to	the	extent	such	offsetting
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- 2 collections received in fiscal year 2019 exceed \$8,000,000,
- 3 those excess amounts shall remain available until ex-
- 4 pended and be used for necessary expenses in this appro-
- 5 priation.
- 6 Office of Inspector General
- 7 For necessary expenses of the Office of Inspector
- 8 General in carrying out the provisions of the Inspector
- 9 General Act of 1978, \$41,489,000, to remain available
- 10 until September 30, 2020.
- 11 Buildings and Facilities
- 12 For construction, repair, improvement, extension, al-
- 13 teration, and purchase of fixed equipment or facilities of,
- 14 or for use by, the Environmental Protection Agency,
- 15 \$34,467,000, to remain available until expended.
- 16 Hazardous Substance Superfund
- 17 (INCLUDING TRANSFERS OF FUNDS)
- 18 For necessary expenses to carry out the Comprehen-
- 19 sive Environmental Response, Compensation, and Liabil-
- 20 ity Act of 1980 (CERCLA), including sections 111(c)(3),
- 21 (e)(5), (e)(6), and (e)(4) (42 U.S.C. 9611)
- 22 \$1,091,947,000, to remain available until expended, con-
- 23 sisting of such sums as are available in the Trust Fund
- 24 on September 30, 2018, as authorized by section 517(a)
- 25 of the Superfund Amendments and Reauthorization Act



- 1 of 1986 (SARA) and up to \$1,091,947,000 as a payment
- 2 from general revenues to the Hazardous Substance Super-
- 3 fund for purposes as authorized by section 517(b) of
- 4 SARA: Provided, That funds appropriated under this
- 5 heading may be allocated to other Federal agencies in ac-
- 6 cordance with section 111(a) of CERCLA: Provided fur-
- 7 ther, That of the funds appropriated under this heading,
- 8 \$8,778,000 shall be paid to the "Office of Inspector Gen-
- 9 eral" appropriation to remain available until September
- 10 30, 2020, and \$15,496,000 shall be paid to the "Science
- 11 and Technology" appropriation to remain available until
- 12 September 30, 2020.
- 13 Leaking Underground Storage Tank Trust Fund
- 14 Program
- 15 For necessary expenses to carry out leaking under-
- 16 ground storage tank cleanup activities authorized by sub-
- 17 title I of the Solid Waste Disposal Act, \$91,941,000, to
- 18 remain available until expended, of which \$66,572,000
- 19 shall be for carrying out leaking underground storage tank
- 20 cleanup activities authorized by section 9003(h) of the
- 21 Solid Waste Disposal Act; \$25,369,000 shall be for car-
- 22 rying out the other provisions of the Solid Waste Disposal
- 23 Act specified in section 9508(c) of the Internal Revenue
- 24 Code: Provided, That the Administrator is authorized to
- 25 use appropriations made available under this heading to



1	implement section 9013 of the Solid Waste Disposal Act
2	to provide financial assistance to federally recognized In-
3	dian tribes for the development and implementation of
4	programs to manage underground storage tanks.
5	Inland Oil Spill Programs
6	For expenses necessary to carry out the Environ-
7	mental Protection Agency's responsibilities under the Oil
8	Pollution Act of 1990, \$18,209,000, to be derived from
9	the Oil Spill Liability trust fund, to remain available until
10	expended.
11	STATE AND TRIBAL ASSISTANCE GRANTS
12	For environmental programs and infrastructure as-
13	sistance, including capitalization grants for State revolv-
14	ing funds and performance partnership grants,
15	\$3,605,041,000, to remain available until expended, of
16	which—
17	(1) \$1,394,000,000 shall be for making capital-
18	ization grants for the Clean Water State Revolving
19	Funds under title VI of the Federal Water Pollution
20	Control Act; and of which \$864,000,000 shall be for
21	making capitalization grants for the Drinking Water
22	State Revolving Funds under section 1452 of the
23	Safe Drinking Water Act: Provided, That for fiscal



25

year 2019, to the extent there are sufficient eligible

project applications and projects are consistent with

1	State Intended Use Plans, not less than 10 percent
2	of the funds made available under this title to each
3	State for Clean Water State Revolving Fund capital-
4	ization grants shall be used by the State for projects
5	to address green infrastructure, water or energy effi-
6	ciency improvements, or other environmentally inno-
7	vative activities: Provided further, That for fiscal
8	year 2019, funds made available under this title to
9	each State for Drinking Water State Revolving
10	Fund capitalization grants may, at the discretion of
11	each State, be used for projects to address green in-
12	frastructure, water or energy efficiency improve-
13	ments, or other environmentally innovative activities:
14	Provided further, That notwithstanding section
15	603(d)(7) of the Federal Water Pollution Control
16	Act, the limitation on the amounts in a State water
17	pollution control revolving fund that may be used by
18	a State to administer the fund shall not apply to
19	amounts included as principal in loans made by such
20	fund in fiscal year 2019 and prior years where such
21	amounts represent costs of administering the fund
22	to the extent that such amounts are or were deemed
23	reasonable by the Administrator, accounted for sepa-
24	rately from other assets in the fund, and used for
25	eligible nurposes of the fund including administra-



1	tion: Provided further, That for fiscal year 2019,
2	notwithstanding the provisions of subsections (g)(1),
3	(h), and (l) of section 201 of the Federal Water Pol-
4	lution Control Act, grants made under title II of
5	such Act for American Samoa, Guam, the common-
6	wealth of the Northern Marianas, the United States
7	Virgin Islands, and the District of Columbia may
8	also be made for the purpose of providing assistance:
9	(1) solely for facility plans, design activities, or
10	plans, specifications, and estimates for any proposed
11	project for the construction of treatment works; and
12	(2) for the construction, repair, or replacement of
13	privately owned treatment works serving one or
14	more principal residences or small commercial estab-
15	lishments: Provided further, That for fiscal year
16	2019, notwithstanding the provisions of such sub-
17	sections (g)(1), (h), and (l) of section 201 and sec-
18	tion 518(e) of the Federal Water Pollution Control
19	Act, funds reserved by the Administrator for grants
20	under section 518(c) of the Federal Water Pollution
21	Control Act may also be used to provide assistance:
22	(1) solely for facility plans, design activities, or
23	plans, specifications, and estimates for any proposed
24	project for the construction of treatment works; and
25	(2) for the construction, repair, or replacement of



1	privately owned treatment works serving one or
2	more principal residences or small commercial estab-
3	lishments: Provided further, That for fiscal year
4	2019, notwithstanding any provision of the Federal
5	Water Pollution Control Act and regulations issued
6	pursuant thereof, up to a total of \$2,000,000 of the
7	funds reserved by the Administrator for grants
8	under section 518(c) of such Act may also be used
9	for grants for training, technical assistance, and
10	educational programs relating to the operation and
11	management of the treatment works specified in sec-
12	tion 518(c) of such Act: Provided further, That for
13	fiscal year 2019, funds reserved under section
14	518(c) of such Act shall be available for grants only
15	to Indian tribes, as defined in section 518(h) of such
16	Act and former Indian reservations in Oklahoma (as
17	determined by the Secretary of the Interior) and Na-
18	tive Villages as defined in Public Law 92–203: Pro-
19	vided further, That for fiscal year 2019, notwith-
20	standing the limitation on amounts in section 518(c)
21	of the Federal Water Pollution Control Act, up to a
22	total of 2 percent of the funds appropriated, or
23	\$30,000,000, whichever is greater, and notwith-
24	standing the limitation on amounts in section
25	1452(i) of the Safe Drinking Water Act, up to a

1	total of 2 percent of the funds appropriated, or
2	\$20,000,000, whichever is greater, for State Revolv-
3	ing Funds under such Acts may be reserved by the
4	Administrator for grants under section 518(c) and
5	section 1452(i) of such Acts: Provided further, That
6	for fiscal year 2019, notwithstanding the amounts
7	specified in section 205(c) of the Federal Water Pol-
8	lution Control Act, up to 1.5 percent of the aggre-
9	gate funds appropriated for the Clean Water State
10	Revolving Fund program under the Act less any
11	sums reserved under section 518(c) of the Act, may
12	be reserved by the Administrator for grants made
13	under title II of the Federal Water Pollution Control
14	Act for American Samoa, Guam, the Commonwealth
15	of the Northern Marianas, and United States Virgin
16	Islands: Provided further, That for fiscal year 2019
17	notwithstanding the limitations on amounts specified
18	in section 1452(j) of the Safe Drinking Water Act
19	up to 1.5 percent of the funds appropriated for the
20	Drinking Water State Revolving Fund programs
21	under the Safe Drinking Water Act may be reserved
22	by the Administrator for grants made under section
23	1452(j) of the Safe Drinking Water Act: Provided
24	further, That 10 percent of the funds made available
25	under this title to each State for Clean Water State



1	Revolving Fund capitalization grants and 20 percent
2	of the funds made available under this title to each
3	State for Drinking Water State Revolving Fund cap-
4	italization grants shall be used by the State to pro-
5	vide additional subsidy to eligible recipients in the
6	form of forgiveness of principal, negative interest
7	loans, or grants (or any combination of these), and
8	shall be so used by the State only where such funds
9	are provided as initial financing for an eligible re-
10	cipient or to buy, refinance, or restructure the debt
11	obligations of eligible recipients only where such debt
12	was incurred on or after the date of enactment of
13	this Act, or where such debt was incurred prior to
14	the date of enactment of this Act if the State, with
15	concurrence from the Administrator, determines that
16	such funds could be used to help address a threat
17	to public health from heightened exposure to lead in
18	drinking water or if a Federal or State emergency
19	declaration has been issued due to a threat to public
20	health from heightened exposure to lead in a munic-
21	ipal drinking water supply before the date of enact-
22	ment of this Act: Provided further, That in a State
23	in which such an emergency declaration has been
24	issued, the State may use more than 20 percent of
25	the funds made available under this title to the



1	State for Drinking Water State Revolving Fund cap-
2	italization grants to provide additional subsidy to eli-
3	gible recipients;
4	(2) \$15,000,000 shall be for architectural, engi-
5	neering, planning, design, construction and related
6	activities in connection with the construction of high
7	priority water and wastewater facilities in the area
8	of the United States-Mexico Border, after consulta-
9	tion with the appropriate border commission: Pro-
10	vided, That no funds provided by this appropriations
11	Act to address the water, wastewater and other crit
12	ical infrastructure needs of the colonias in the
13	United States along the United States-Mexico bor-
14	der shall be made available to a county or municipa
15	government unless that government has established
16	an enforceable local ordinance, or other zoning rule
17	which prevents in that jurisdiction the development
18	or construction of any additional colonia areas, or
19	the development within an existing colonia the con-
20	struction of any new home, business, or other struc-
21	ture which lacks water, wastewater, or other nec
22	essary infrastructure;
23	(3) \$25,000,000 shall be for grants to the State
24	of Alaska to address drinking water and wastewater
25	infrastructure needs of rural and Alaska Native Vil-



1	lages: Provided, That of these funds: (A) the State
2	of Alaska shall provide a match of 25 percent; (B)
3	no more than 5 percent of the funds may be used
4	for administrative and overhead expenses; and (C)
5	the State of Alaska shall make awards consistent
6	with the Statewide priority list established in con-
7	junction with the Agency and the U.S. Department
8	of Agriculture for all water, sewer, waste disposal,
9	and similar projects carried out by the State of Alas-
10	ka that are funded under section 221 of the Federal
11	Water Pollution Control Act (33 U.S.C. 1301) or
12	the Consolidated Farm and Rural Development Act
13	(7 U.S.C. 1921 et seq.) which shall allocate not less
14	than 25 percent of the funds provided for projects
15	in regional hub communities;
16	(4) \$87,000,000 shall be to carry out section
17	104(k) of the Comprehensive Environmental Re-
18	sponse, Compensation, and Liability Act of 1980
19	(CERCLA), including grants, interagency agree-
20	ments, and associated program support costs: Pro-
21	vided, That not more than 25 percent of the amount
22	appropriated to carry out section 104(k) of
23	CERCLA shall be used for site characterization, as-
24	sessment, and remediation of facilities described in
25	section 101(39)(D)(ii)(II) of CERCLA: Provided



1	further, That at least 10 percent shall be allocated
2	for assistance in persistent poverty counties: Pro-
3	vided further, That for purposes of this section, the
4	term "persistent poverty counties" means any coun-
5	ty that has had 20 percent or more of its population
6	living in poverty over the past 30 years, as measured
7	by the 1990 and 2000 decennial censuses and the
8	most recent Small Area Income and Poverty Esti-
9	mates;
10	(5) \$87,000,000 shall be for grants under title
11	VII, subtitle G of the Energy Policy Act of 2005;
12	(6) \$52,000,000 shall be for targeted airshed
13	grants in accordance with the terms and conditions
14	in the explanatory statement described in section 4
15	(in the matter preceding division A of this consoli-
16	dated Act);
17	(7) \$4,000,000 shall be to carry out the water
18	quality program authorized in section 5004(d) of the
19	Water Infrastructure Improvements for the Nation
20	Act (Public Law 114–322); and
21	(8) \$1,077,041,000 shall be for grants, includ-
22	ing associated program support costs, to States, fed-
23	erally recognized tribes, interstate agencies, tribal
24	consortia, and air pollution control agencies for
25	multi-media or single media pollution prevention,



1	control and abatement and related activities, includ-
2	ing activities pursuant to the provisions set forth
3	under this heading in Public Law 104–134, and for
4	making grants under section 103 of the Clean Air
5	Act for particulate matter monitoring and data col-
6	lection activities subject to terms and conditions
7	specified by the Administrator, of which:
8	\$47,745,000 shall be for carrying out section 128 of
9	CERCLA; \$9,646,000 shall be for Environmental
10	Information Exchange Network grants, including as-
11	sociated program support costs; \$1,498,000 shall be
12	for grants to States under section 2007(f)(2) of the
13	Solid Waste Disposal Act, which shall be in addition
14	to funds appropriated under the heading "Leaking
15	Underground Storage Tank Trust Fund Program"
16	to carry out the provisions of the Solid Waste Dis-
17	posal Act specified in section 9508(c) of the Internal
18	Revenue Code other than section 9003(h) of the
19	Solid Waste Disposal Act; \$17,848,000 of the funds
20	available for grants under section 106 of the Federal
21	Water Pollution Control Act shall be for State par-
22	ticipation in national- and State-level statistical sur-
23	veys of water resources and enhancements to State
24	monitoring programs; \$11,000,000 shall be for mul-
25	tipurpose grants, including interagency agreements.



1	Water Infrastructure Finance and Innovation
2	Program Account
3	For the cost of direct loans and for the cost of guar-
4	anteed loans, as authorized by the Water Infrastructure
5	Finance and Innovation Act of 2014, \$5,000,000, to re-
6	$\ \text{main available until expended: } \textit{Provided}, \ \text{That such costs},$
7	including the cost of modifying such loans, shall be as de-
8	fined in section 502 of the Congressional Budget Act of
9	1974: Provided further, That these funds are available to
10	subsidize gross obligations for the principal amount of di-
11	rect loans, including capitalized interest, and total loan
12	principal, including capitalized interest, any part of which
13	is to be guaranteed, not to exceed \$610,000,000.
14	In addition, fees authorized to be collected pursuant
15	to sections 5029 and 5030 of the Water Infrastructure
16	Finance and Innovation Act of 2014 shall be deposited
17	in this account, to remain available until expended.
18	In addition, for administrative expenses to carry out
19	the direct and guaranteed loan programs, notwithstanding
20	section 5033 of the Water Infrastructure Finance and In-
21	novation Act of 2014, $$5,000,000$, to remain available
22	until September 30, 2020.



1	Administrative Provisions—Environmental
2	PROTECTION AGENCY
3	(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)
4	For fiscal year 2019, notwithstanding 31 U.S.C.
5	6303(1) and 6305(1), the Administrator of the Environ-
6	mental Protection Agency, in carrying out the Agency's
7	function to implement directly Federal environmental pro-
8	grams required or authorized by law in the absence of an
9	acceptable tribal program, may award cooperative agree-
10	ments to federally recognized Indian tribes or Intertribal
11	consortia, if authorized by their member tribes, to assist
12	the Administrator in implementing Federal environmental
13	programs for Indian tribes required or authorized by law,
14	except that no such cooperative agreements may be award-
15	ed from funds designated for State financial assistance
16	agreements.
17	The Administrator of the Environmental Protection
18	Agency is authorized to collect and obligate pesticide reg-
19	istration service fees in accordance with section 33 of the
20	Federal Insecticide, Fungicide, and Rodenticide Act, as
21	amended by Public Law 112–177, the Pesticide Registra-
22	tion Improvement Extension Act of 2012.
23	Notwithstanding section 33(d)(2) of the Federal In-
24	secticide, Fungicide, and Rodenticide Act (FIFRA) (7
25	U.S.C. 136w-8(d)(2)), the Administrator of the Environ-



- 1 mental Protection Agency may assess fees under section
- 2 33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2019.
- 3 The Administrator is authorized to transfer up to
- 4 \$300,000,000 of the funds appropriated for the Great
- 5 Lakes Restoration Initiative under the heading "Environ-
- 6 mental Programs and Management" to the head of any
- 7 Federal department or agency, with the concurrence of
- 8 such head, to carry out activities that would support the
- 9 Great Lakes Restoration Initiative and Great Lakes
- 10 Water Quality Agreement programs, projects, or activities;
- 11 to enter into an interagency agreement with the head of
- 12 such Federal department or agency to carry out these ac-
- 13 tivities; and to make grants to governmental entities, non-
- 14 profit organizations, institutions, and individuals for plan-
- 15 ning, research, monitoring, outreach, and implementation
- 16 in furtherance of the Great Lakes Restoration Initiative
- 17 and the Great Lakes Water Quality Agreement.
- 18 The Science and Technology, Environmental Pro-
- 19 grams and Management, Office of Inspector General, Haz-
- 20 ardous Substance Superfund, and Leaking Underground
- 21 Storage Tank Trust Fund Program Accounts, are avail-
- 22 able for the construction, alteration, repair, rehabilitation,
- 23 and renovation of facilities, provided that the cost does
- 24 not exceed \$150,000 per project.



- 1 For fiscal year 2019, and notwithstanding section
- 2 518(f) of the Federal Water Pollution Control Act (33
- 3 U.S.C. 1377(f)), the Administrator is authorized to use
- 4 the amounts appropriated for any fiscal year under section
- 5 319 of the Act to make grants to Indian tribes pursuant
- 6 to sections 319(h) and 518(e) of that Act.
- 7 The Administrator is authorized to use the amounts
- 8 appropriated under the heading "Environmental Pro-
- 9 grams and Management" for fiscal year 2019 to provide
- 10 grants to implement the Southeastern New England Wa-
- 11 tershed Restoration Program.
- Of the unobligated balances available for the "State
- 13 and Tribal Assistance Grants" account, \$139,078,000 are
- 14 hereby permanently rescinded: Provided, That no amounts
- 15 may be rescinded from amounts that were designated by
- 16 the Congress as an emergency requirement pursuant to
- 17 the Concurrent Resolution on the Budget or the Balanced
- 18 Budget and Emergency Deficit Control Act of 1985 or
- 19 from amounts that were made available by subsection (a)
- 20 of section 196 of the Continuing Appropriations Act, 2017
- 21 (division C of Public Law 114-223), as amended by the
- 22 Further Continuing and Security Assistance Appropria-
- 23 tions Act, 2017 (Public Law 114–254).
- Notwithstanding the limitations on amounts in sec-
- 25 tion 320(i)(2)(B) of the Federal Water Pollution Control



1	Act, not less than \$1,000,000 of the funds made available
2	under this title for the National Estuary Program shall
3	be for making competitive awards described in section
4	320(g)(4).
5	TITLE III
6	RELATED AGENCIES
7	DEPARTMENT OF AGRICULTURE
8	OFFICE OF THE UNDER SECRETARY FOR NATURAL
9	RESOURCES AND ENVIRONMENT
10	For necessary expenses of the Office of the Under
11	Secretary for Natural Resources and Environment
12	\$875,000: Provided, That funds made available by this
13	Act to any agency in the Natural Resources and Environ-
14	ment mission area for salaries and expenses are available
15	to fund up to one administrative support staff for the of-
16	fice.
17	FOREST SERVICE
18	FOREST AND RANGELAND RESEARCH
19	For necessary expenses of forest and rangeland re-
20	search as authorized by law, \$300,000,000, to remain
21	available through September 30, 2022: Provided, That of
22	the funds provided, \$77,000,000 is for the forest inventory
23	and analysis program: Provided further, That all authori-
24	ties for the use of funds, including the use of contracts
25	grants and cooperative agreements available to execute



1	the Forest and Rangeland Research appropriation, are
2	also available in the utilization of these funds for Fire
3	Science Research.
4	STATE AND PRIVATE FORESTRY
5	(INCLUDING RESCISSION OF FUNDS)
6	For necessary expenses of cooperating with and pro-
7	viding technical and financial assistance to States, terri-
8	tories, possessions, and others, and for forest health man-
9	agement, and conducting an international program as au-
10	thorized, \$336,990,000, to remain available through Sep-
11	tember 30, 2022, as authorized by law; of which
12	\$63,990,000 is to be derived from the Land and Water
13	Conservation Fund to be used for the Forest Legacy Pro-
14	gram, to remain available until expended.
15	Of the unobligated balances from amounts made
16	available for the Forest Legacy Program and derived from
17	the Land and Water Conservation Fund, \$1,503,000 is
18	hereby permanently rescinded from projects with cost sav-
19	ings or failed or partially failed projects that had funds
20	returned: Provided, That no amounts may be rescinded
21	from amounts that were designated by the Congress as
22	an emergency requirement pursuant to the Concurrent
23	Resolution on the Budget or the Balanced Budget and
24	Emergency Deficit Control Act of 1985.



1	NATIONAL FOREST SYSTEM
2	For necessary expenses of the Forest Service, not
3	otherwise provided for, for management, protection, im-
4	provement, and utilization of the National Forest System,
5	and for hazardous fuels management on or adjacent to
6	such lands, \$1,938,000,000, to remain available through
7	September 30, 2022: Provided, That of the funds pro-
8	vided, \$40,000,000 shall be deposited in the Collaborative
9	Forest Landscape Restoration Fund for ecological restora-
10	tion treatments as authorized by 16 U.S.C. 7303(f): Pro-
11	vided further, That of the funds provided, \$368,000,000
12	shall be for forest products: Provided further, That of the
13	funds provided, \$435,000,000 shall be for hazardous fuels
14	management activities, of which not to exceed
15	\$15,000,000 may be used to make grants, using any au-
16	thorities available to the Forest Service under the "State
17	and Private Forestry" appropriation, for the purpose of
18	creating incentives for increased use of biomass from Na-
19	tional Forest System lands: Provided further, That
20	\$20,000,000 may be used by the Secretary of Agriculture
21	to enter into procurement contracts or cooperative agree-
22	ments or to issue grants for hazardous fuels management
23	activities, and for training or monitoring associated with
24	such hazardous fuels management activities on Federal
25	land, or on non-Federal land if the Secretary determines



1	such activities benefit resources on Federal land: Provided
2	further, That funds made available to implement the Com-
3	munity Forestry Restoration Act, Public Law 106–393,
4	title VI, shall be available for use on non-Federal lands
5	in accordance with authorities made available to the For-
6	est Service under the "State and Private Forestry" appro-
7	priations: Provided further, That notwithstanding section
8	33 of the Bankhead Jones Farm Tenant Act (7 U.S.C.
9	1012), the Secretary of Agriculture, in calculating a fee
10	for grazing on a National Grassland, may provide a credit
11	of up to 50 percent of the calculated fee to a Grazing As-
12	sociation or direct permittee for a conservation practice
13	approved by the Secretary in advance of the fiscal year
14	in which the cost of the conservation practice is incurred.
15	And, that the amount credited shall remain available to
16	the Grazing Association or the direct permittee, as appro-
17	priate, in the fiscal year in which the credit is made and
18	each fiscal year thereafter for use on the project for con-
19	servation practices approved by the Secretary.
20	CAPITAL IMPROVEMENT AND MAINTENANCE
21	(INCLUDING TRANSFER OF FUNDS)
22	For necessary expenses of the Forest Service, not
23	otherwise provided for, \$446,000,000, to remain available
24	through September 30, 2022, for construction, capital im-
25	provement, maintenance and acquisition of buildings and



- 1 other facilities and infrastructure; and for construction,
- 2 reconstruction, decommissioning of roads that are no
- 3 longer needed, including unauthorized roads that are not
- 4 part of the transportation system, and maintenance of for-
- 5 est roads and trails by the Forest Service as authorized
- 6 by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205: Pro-
- 7 vided, That funds becoming available in fiscal year 2019
- 8 under the Act of March 4, 1913 (16 U.S.C. 501) shall
- 9 be transferred to the General Fund of the Treasury and
- 10 shall not be available for transfer or obligation for any
- 11 other purpose unless the funds are appropriated.
- 12 LAND ACQUISITION
- For expenses necessary to carry out the provisions
- 14 of chapter 2003 of title 54, United States Code, including
- 15 administrative expenses, and for acquisition of land or wa-
- 16 ters, or interest therein, in accordance with statutory au-
- 17 thority applicable to the Forest Service, \$72,564,000, to
- 18 be derived from the Land and Water Conservation Fund
- 19 and to remain available until expended.
- 20 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
- 21 ACTS
- For acquisition of lands within the exterior bound-
- 23 aries of the Cache, Uinta, and Wasatch National Forests,
- 24 Utah; the Toiyabe National Forest, Nevada; and the An-
- 25 geles, San Bernardino, Sequoia, and Cleveland National



- 1 Forests, California; and the Ozark-St. Francis and
- 2 Ouachita National Forests, Arkansas; as authorized by
- 3 law, \$700,000, to be derived from forest receipts.
- 4 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES
- 5 For acquisition of lands, such sums, to be derived
- 6 from funds deposited by State, county, or municipal gov-
- 7 ernments, public school districts, or other public school au-
- 8 thorities, and for authorized expenditures from funds de-
- 9 posited by non-Federal parties pursuant to Land Sale and
- 10 Exchange Acts, pursuant to the Act of December 4, 1967
- 11 (16 U.S.C. 484a), to remain available through September
- 12 30, 2022, (16 U.S.C. 516-617a, 555a; Public Law 96-
- 13 586; Public Law 76–589, 76–591; and Public Law 78–
- 14 310).
- 15 RANGE BETTERMENT FUND
- 16 For necessary expenses of range rehabilitation, pro-
- 17 tection, and improvement, 50 percent of all moneys re-
- 18 ceived during the prior fiscal year, as fees for grazing do-
- 19 mestic livestock on lands in National Forests in the 16
- 20 Western States, pursuant to section 401(b)(1) of Public
- 21 Law 94–579, to remain available through September 30,
- 22 2022, of which not to exceed 6 percent shall be available
- 23 for administrative expenses associated with on-the-ground
- 24 range rehabilitation, protection, and improvements.



1	GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
2	RANGELAND RESEARCH
3	For expenses authorized by 16 U.S.C. 1643(b),
4	\$45,000, to remain available through September 30, 2022,
5	to be derived from the fund established pursuant to the
6	above Act.
7	MANAGEMENT OF NATIONAL FOREST LANDS FOR
8	SUBSISTENCE USES
9	For necessary expenses of the Forest Service to man-
10	age Federal lands in Alaska for subsistence uses under
11	title VIII of the Alaska National Interest Lands Conserva-
12	tion Act (16 U.S.C. 3111 et seq.), \$2,500,000, to remain
13	available through September 30, 2022.
14	WILDLAND FIRE MANAGEMENT
15	(INCLUDING TRANSFERS OF FUNDS)
16	For necessary expenses for forest fire presuppression
17	activities on National Forest System lands, for emergency
18	wildland fire suppression on or adjacent to such lands or
19	other lands under fire protection agreement, and for emer-
20	gency rehabilitation of burned-over National Forest Sys-
21	tem lands and water, \$3,004,986,000, to remain available
22	through September 30, 2022: Provided, That such funds
23	including unobligated balances under this heading, are
24	available for repayment of advances from other appropria-
25	tions accounts previously transferred for such purposes:



1	Provided further, That any unobligated funds appropriated
2	in a previous fiscal year for hazardous fuels management
3	may be transferred to the "National Forest System" ac-
4	count: Provided further, That such funds shall be available
5	to reimburse State and other cooperating entities for serv-
6	ices provided in response to wildfire and other emergencies
7	or disasters to the extent such reimbursements by the For-
8	est Service for non-fire emergencies are fully repaid by the
9	responsible emergency management agency: Provided fur-
10	ther, That funds provided shall be available for support
11	to Federal emergency response: $Provided\ further,$ That the
12	costs of implementing any cooperative agreement between
13	the Federal Government and any non-Federal entity may
14	be shared, as mutually agreed on by the affected parties:
15	Provided further, That funds designated for wildfire sup-
16	pression, shall be assessed for cost pools on the same basis
17	as such assessments are calculated against other agency
18	programs.
19	ADMINISTRATIVE PROVISIONS—FOREST SERVICE
20	(INCLUDING TRANSFERS OF FUNDS)
21	Appropriations to the Forest Service for the current
22	fiscal year shall be available for: (1) purchase of passenger
23	motor vehicles; acquisition of passenger motor vehicles
24	from excess sources, and hire of such vehicles; purchase,
25	lease, operation, maintenance, and acquisition of aircraft



- 1 to maintain the operable fleet for use in Forest Service
- 2 wildland fire programs and other Forest Service programs;
- 3 notwithstanding other provisions of law, existing aircraft
- 4 being replaced may be sold, with proceeds derived or
- 5 trade-in value used to offset the purchase price for the
- 6 replacement aircraft; (2) services pursuant to 7 U.S.C.
- 7 2225, and not to exceed \$100,000 for employment under
- 8 5 U.S.C. 3109; (3) purchase, erection, and alteration of
- 9 buildings and other public improvements (7 U.S.C. 2250);
- 10 (4) acquisition of land, waters, and interests therein pur-
- 11 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
- 12 Volunteers in the National Forest Act of 1972 (16 U.S.C.
- 13 558a, 558d, and 558a note); (6) the cost of uniforms as
- 14 authorized by 5 U.S.C. 5901-5902; and (7) for debt col-
- 15 lection contracts in accordance with 31 U.S.C. 3718(c).
- Any appropriations or funds available to the Forest
- 17 Service may be transferred to the Wildland Fire Manage-
- 18 ment appropriation for forest firefighting, emergency re-
- 19 habilitation of burned-over or damaged lands or waters
- 20 under its jurisdiction, and fire preparedness due to severe
- 21 burning conditions upon the Secretary's notification of the
- 22 House and Senate Committees on Appropriations that all
- 23 fire suppression funds appropriated under the heading
- 24 "Wildland Fire Management" will be obligated within 30
- 25 days: Provided, That all funds used pursuant to this para-



- 1 graph must be replenished by a supplemental appropria-
- 2 tion which must be requested as promptly as possible.
- Not more than \$50,000,000 of funds appropriated to
- 4 the Forest Service shall be available for expenditure or
- 5 transfer to the Department of the Interior for wildland
- 6 fire management, hazardous fuels management, and State
- 7 fire assistance when such transfers would facilitate and
- 8 expedite wildland fire management programs and projects.
- 9 Notwithstanding any other provision of this Act, the
- 10 Forest Service may transfer unobligated balances of dis-
- 11 cretionary funds appropriated to the Forest Service by
- 12 this Act to or within the National Forest System Account,
- 13 or reprogram funds to be used for the purposes of haz-
- 14 ardous fuels management and urgent rehabilitation of
- 15 burned-over National Forest System lands and water,
- 16 such transferred funds shall remain available through Sep-
- 17 tember 30, 2022: Provided, That none of the funds trans-
- 18 ferred pursuant to this section shall be available for obli-
- 19 gation without written notification to and the prior ap-
- 20 proval of the Committees on Appropriations of both
- 21 Houses of Congress: Provided further, That this section
- 22 does not apply to funds derived from the Land and Water
- 23 Conservation Fund.
- 24 Funds appropriated to the Forest Service shall be
- 25 available for assistance to or through the Agency for Inter-



- 1 national Development in connection with forest and range-
- 2 land research, technical information, and assistance in for-
- 3 eign countries, and shall be available to support forestry
- 4 and related natural resource activities outside the United
- 5 States and its territories and possessions, including tech-
- 6 nical assistance, education and training, and cooperation
- 7 with U.S., private, and international organizations. The
- 8 Forest Service, acting for the International Program, may
- 9 sign direct funding agreements with foreign governments
- 10 and institutions as well as other domestic agencies (includ-
- 11 ing the U.S. Agency for International Development, the
- 12 Department of State, and the Millennium Challenge Cor-
- 13 poration), U.S. private sector firms, institutions and orga-
- 14 nizations to provide technical assistance and training pro-
- 15 grams overseas on forestry and rangeland management.
- 16 Funds appropriated to the Forest Service shall be
- 17 available for expenditure or transfer to the Department
- 18 of the Interior, Bureau of Land Management, for removal,
- 19 preparation, and adoption of excess wild horses and burros
- 20 from National Forest System lands, and for the perform-
- 21 ance of cadastral surveys to designate the boundaries of
- 22 such lands.
- None of the funds made available to the Forest Serv-
- 24 ice in this Act or any other Act with respect to any fiscal
- 25 year shall be subject to transfer under the provisions of



- 1 section 702(b) of the Department of Agriculture Organic
- 2 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
- 3 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
- 4 Law 107–171 (7 U.S.C. 8316(b)).
- 5 None of the funds available to the Forest Service may
- 6 be reprogrammed without the advance approval of the
- 7 House and Senate Committees on Appropriations in ac-
- 8 cordance with the reprogramming procedures contained in
- 9 the explanatory statement described in section 4 (in the
- 10 matter preceding division A of this consolidated Act).
- Not more than \$82,000,000 of funds available to the
- 12 Forest Service shall be transferred to the Working Capital
- 13 Fund of the Department of Agriculture and not more than
- 14 \$14,500,000 of funds available to the Forest Service shall
- 15 be transferred to the Department of Agriculture for De-
- 16 partment Reimbursable Programs, commonly referred to
- 17 as Greenbook charges. Nothing in this paragraph shall
- 18 prohibit or limit the use of reimbursable agreements re-
- 19 quested by the Forest Service in order to obtain services
- 20 from the Department of Agriculture's National Informa-
- 21 tion Technology Center and the Department of Agri-
- 22 culture's International Technology Service.
- Of the funds available to the Forest Service, up to
- 24 \$5,000,000 shall be available for priority projects within
- 25 the scope of the approved budget, which shall be carried



- 1 out by the Youth Conservation Corps and shall be carried
- 2 out under the authority of the Public Lands Corps Act
- 3 of 1993 (16 U.S.C. 1721 et seq.).
- 4 Of the funds available to the Forest Service, \$4,000
- 5 is available to the Chief of the Forest Service for official
- 6 reception and representation expenses.
- 7 Pursuant to sections 405(b) and 410(b) of Public
- 8 Law 101–593, of the funds available to the Forest Service,
- 9 up to \$3,000,000 may be advanced in a lump sum to the
- 10 National Forest Foundation to aid conservation partner-
- 11 ship projects in support of the Forest Service mission,
- 12 without regard to when the Foundation incurs expenses,
- 13 for projects on or benefitting National Forest System
- 14 lands or related to Forest Service programs: Provided,
- 15 That of the Federal funds made available to the Founda-
- 16 tion, no more than \$300,000 shall be available for admin-
- 17 istrative expenses: *Provided further*, That the Foundation
- 18 shall obtain, by the end of the period of Federal financial
- 19 assistance, private contributions to match funds made
- 20 available by the Forest Service on at least a one-for-one
- 21 basis: Provided further, That the Foundation may transfer
- 22 Federal funds to a Federal or a non-Federal recipient for
- 23 a project at the same rate that the recipient has obtained
- 24 the non-Federal matching funds.



- 1 Pursuant to section 2(b)(2) of Public Law 98–244,
- 2 up to \$3,000,000 of the funds available to the Forest
- 3 Service may be advanced to the National Fish and Wildlife
- 4 Foundation in a lump sum to aid cost-share conservation
- 5 projects, without regard to when expenses are incurred,
- 6 on or benefitting National Forest System lands or related
- 7 to Forest Service programs: Provided, That such funds
- 8 shall be matched on at least a one-for-one basis by the
- 9 Foundation or its sub-recipients: Provided further, That
- 10 the Foundation may transfer Federal funds to a Federal
- 11 or non-Federal recipient for a project at the same rate
- 12 that the recipient has obtained the non-Federal matching
- 13 funds.
- 14 Funds appropriated to the Forest Service shall be
- 15 available for interactions with and providing technical as-
- 16 sistance to rural communities and natural resource-based
- 17 businesses for sustainable rural development purposes.
- 18 Funds appropriated to the Forest Service shall be
- 19 available for payments to counties within the Columbia
- 20 River Gorge National Scenic Area, pursuant to section
- 21 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-
- 22 663.
- Any funds appropriated to the Forest Service may
- 24 be used to meet the non-Federal share requirement in sec-



- 1 tion 502(c) of the Older Americans Act of 1965 (42)
- 2 U.S.C. 3056(c)(2)).
- 3 The Forest Service shall not assess funds for the pur-
- 4 pose of performing fire, administrative, and other facilities
- 5 maintenance and decommissioning.
- 6 Notwithstanding any other provision of law, of any
- 7 appropriations or funds available to the Forest Service,
- 8 not to exceed \$500,000 may be used to reimburse the Of-
- 9 fice of the General Counsel (OGC), Department of Agri-
- 10 culture, for travel and related expenses incurred as a re-
- 11 sult of OGC assistance or participation requested by the
- 12 Forest Service at meetings, training sessions, management
- 13 reviews, land purchase negotiations and similar matters
- 14 unrelated to civil litigation. Future budget justifications
- 15 for both the Forest Service and the Department of Agri-
- 16 culture should clearly display the sums previously trans-
- 17 ferred and the sums requested for transfer.
- An eligible individual who is employed in any project
- 19 funded under title V of the Older Americans Act of 1965
- 20 (42 U.S.C. 3056 et seq.) and administered by the Forest
- 21 Service shall be considered to be a Federal employee for
- 22 purposes of chapter 171 of title 28, United States Code.
- Notwithstanding any other provision of this Act,
- 24 through the Office of Budget and Program Analysis, the
- 25 Forest Service shall report no later than 30 business days



1	following the close of each fiscal quarter all current and
2	prior year unobligated balances, by fiscal year, budget line
3	item and account, to the House and Senate Committees
4	on Appropriations.
5	DEPARTMENT OF HEALTH AND HUMAN
6	SERVICES
7	Indian Health Service
8	INDIAN HEALTH SERVICES
9	For expenses necessary to carry out the Act of Au-
10	gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
11	tion and Education Assistance Act, the Indian Health
12	Care Improvement Act, and titles II and III of the Public
13	Health Service Act with respect to the Indian Health Serv-
14	ice, \$4,103,190,000, to remain available until September
15	30, 2020, except as otherwise provided herein, together
16	with payments received during the fiscal year pursuant to
17	sections 231(b) and 233 of the Public Health Service Act
18	(42 U.S.C. 238(b), 238b), for services furnished by the
19	Indian Health Service: Provided, That funds made avail-
20	able to tribes and tribal organizations through contracts
21	grant agreements, or any other agreements or compacts
22	authorized by the Indian Self-Determination and Edu-
23	eation Assistance Act of 1975 (25 U.S.C. 450), shall be
24	deemed to be obligated at the time of the grant or contract
25	award and thereafter shall remain available to the tribe



1	or tribal organization without fiscal year limitation: $Pro-$
2	vided further, That \$2,000,000 shall be available for
3	grants or contracts with public or private institutions to
4	provide alcohol or drug treatment services to Indians, in-
5	cluding alcohol detoxification services: Provided further
6	That \$964,819,000 for Purchased/Referred Care, includ-
7	ing \$53,000,000 for the Indian Catastrophic Health
8	Emergency Fund, shall remain available until expended
9	Provided further, That of the funds provided, up to
10	\$44,000,000 shall remain available until expended for im-
11	plementation of the loan repayment program under section
12	108 of the Indian Health Care Improvement Act: Provided
13	further, That of the funds provided, \$36,000,000 shall re-
14	main available until expended to supplement funds avail-
15	able for operational costs at tribal clinics operated under
16	an Indian Self-Determination and Education Assistance
17	Act compact or contract where health care is delivered in
18	space acquired through a full service lease, which is not
19	eligible for maintenance and improvement and equipment
20	funds from the Indian Health Service, and \$58,000,000
21	shall be for costs related to or resulting from accreditation
22	emergencies, of which up to \$4,000,000 may be used to
23	supplement amounts otherwise available for Purchased
24	Referred Care: Provided further, That the amounts col-



25 lected by the Federal Government as authorized by sec-

1	tions 104 and 108 of the Indian Health Care Improvement
2	Act (25 U.S.C. 1613a and 1616a) during the preceding
3	fiscal year for breach of contracts shall be deposited to
4	the Fund authorized by section 108A of that Act (25
5	U.S.C. 1616a-1) and shall remain available until ex-
6	pended and, notwithstanding section 108A(c) of that Act
7	(25 U.S.C. 1616a–1(c)), funds shall be available to make
8	new awards under the loan repayment and scholarship
9	programs under sections 104 and 108 of that Act (25
10	U.S.C. 1613a and 1616a): Provided further, That the
11	amounts made available within this account for the Sub-
12	stance Abuse and Suicide Prevention Program, for Opioid
13	Prevention, Treatment and Recovery Services, for the Do-
14	mestic Violence Prevention Program, for the Zero Suicide
15	Initiative, for the housing subsidy authority for civilian
16	employees, for aftercare pilot programs at Youth Regiona
17	Treatment Centers, to improve collections from public and
18	private insurance at Indian Health Service and tribally op-
19	erated facilities, and for accreditation emergencies shall be
20	allocated at the discretion of the Director of the Indian
21	Health Service and shall remain available until expended
22	Provided further, That funds provided in this Act may be
23	used for annual contracts and grants for which the per-
24	formance period falls within 2 fiscal years, provided the



25 total obligation is recorded in the year the funds are ap-

- 1 propriated: Provided further, That the amounts collected
- 2 by the Secretary of Health and Human Services under the
- 3 authority of title IV of the Indian Health Care Improve-
- 4 ment Act shall remain available until expended for the
- 5 purpose of achieving compliance with the applicable condi-
- 6 tions and requirements of titles XVIII and XIX of the So-
- 7 cial Security Act, except for those related to the planning,
- 8 design, or construction of new facilities: Provided further,
- 9 That funding contained herein for scholarship programs
- 10 under the Indian Health Care Improvement Act shall re-
- 11 main available until expended: Provided further, That
- 12 amounts received by tribes and tribal organizations under
- 13 title IV of the Indian Health Care Improvement Act shall
- 14 be reported and accounted for and available to the receiv-
- 15 ing tribes and tribal organizations until expended: Pro-
- 16 vided further, That the Bureau of Indian Affairs may col-
- 17 lect from the Indian Health Service, and from tribes and
- 18 tribal organizations operating health facilities pursuant to
- 19 Public Law 93-638, such individually identifiable health
- 20 information relating to disabled children as may be nec-
- 21 essary for the purpose of carrying out its functions under
- 22 the Individuals with Disabilities Education Act (20 U.S.C.
- 23 1400 et seq.): Provided further, That of the funds pro-
- 24 vided, \$72,280,000 is for the Indian Health Care Improve-
- 25 ment Fund and may be used, as needed, to carry out ac-



- 1 tivities typically funded under the Indian Health Facilities
- 2 account: Provided further, That the accreditation emer-
- 3 gency funds may be used, as needed, to carry out activities
- 4 typically funded under the Indian Health Facilities ac-
- 5 count.
- 6 CONTRACT SUPPORT COSTS
- 7 For payments to tribes and tribal organizations for
- 8 contract support costs associated with Indian Self-Deter-
- 9 mination and Education Assistance Act agreements with
- 10 the Indian Health Service for fiscal year 2019, such sums
- 11 as may be necessary: Provided, That notwithstanding any
- 12 other provision of law, no amounts made available under
- 13 this heading shall be available for transfer to another
- 14 budget account.
- 15 INDIAN HEALTH FACILITIES
- 16 For construction, repair, maintenance, improvement,
- 17 and equipment of health and related auxiliary facilities,
- 18 including quarters for personnel; preparation of plans,
- 19 specifications, and drawings; acquisition of sites, purchase
- 20 and erection of modular buildings, and purchases of trail-
- 21 ers; and for provision of domestic and community sanita-
- 22 tion facilities for Indians, as authorized by section 7 of
- 23 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
- 24 Self-Determination Act, and the Indian Health Care Im-
- 25 provement Act, and for expenses necessary to carry out



1	such Acts and titles II and III of the Public Health Serv-
2	ice Act with respect to environmental health and facilities
3	support activities of the Indian Health Service,
4	$\$878,\!806,\!000$, to remain available until expended: $Pro-$
5	vided, That notwithstanding any other provision of law,
6	funds appropriated for the planning, design, construction,
7	renovation or expansion of health facilities for the benefit
8	of an Indian tribe or tribes may be used to purchase land
9	on which such facilities will be located: Provided further,
10	That not to exceed \$500,000 may be used by the Indian
11	Health Service to purchase TRANSAM equipment from
12	the Department of Defense for distribution to the Indian
13	Health Service and tribal facilities: Provided further, That
14	none of the funds appropriated to the Indian Health Serv-
15	ice may be used for sanitation facilities construction for
16	new homes funded with grants by the housing programs

of the United States Department of Housing and Urban

Development: Provided further, That not to exceed

\$2,700,000 from this account and the "Indian Health

Services" account may be used by the Indian Health Serv-

ice to obtain ambulances for the Indian Health Service

and tribal facilities in conjunction with an existing inter-

agency agreement between the Indian Health Service and

the General Services Administration: Provided further,

That not to exceed \$500,000 may be placed in a Demoli-



19

- 1 tion Fund, to remain available until expended, and be used
- 2 by the Indian Health Service for the demolition of Federal
- 3 buildings.
- 4 Administrative provisions—indian health service
- 5 Appropriations provided in this Act to the Indian
- 6 Health Service shall be available for services as authorized
- 7 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
- 8 equivalent to the maximum rate payable for senior-level
- 9 positions under 5 U.S.C. 5376; hire of passenger motor
- 10 vehicles and aircraft; purchase of medical equipment; pur-
- 11 chase of reprints; purchase, renovation and erection of
- 12 modular buildings and renovation of existing facilities;
- 13 payments for telephone service in private residences in the
- 14 field, when authorized under regulations approved by the
- 15 Secretary of Health and Human Services; uniforms or al-
- 16 lowances therefor as authorized by 5 U.S.C. 5901-5902;
- 17 and for expenses of attendance at meetings that relate to
- 18 the functions or activities of the Indian Health Service:
- 19 Provided, That in accordance with the provisions of the
- 20 Indian Health Care Improvement Act, non-Indian patients
- 21 may be extended health care at all tribally administered
- 22 or Indian Health Service facilities, subject to charges, and
- 23 the proceeds along with funds recovered under the Federal
- 24 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
- 25 be credited to the account of the facility providing the



- 1 service and shall be available without fiscal year limitation:
- 2 Provided further, That notwithstanding any other law or
- 3 regulation, funds transferred from the Department of
- 4 Housing and Urban Development to the Indian Health
- 5 Service shall be administered under Public Law 86–121,
- 6 the Indian Sanitation Facilities Act and Public Law 93-
- 7 638: Provided further, That funds appropriated to the In-
- 8 dian Health Service in this Act, except those used for ad-
- 9 ministrative and program direction purposes, shall not be
- 10 subject to limitations directed at curtailing Federal travel
- 11 and transportation: Provided further, That none of the
- 12 funds made available to the Indian Health Service in this
- 13 Act shall be used for any assessments or charges by the
- 14 Department of Health and Human Services unless identi-
- 15 fied in the budget justification and provided in this Act,
- 16 or approved by the House and Senate Committees on Ap-
- 17 propriations through the reprogramming process: Pro-
- 18 vided further, That notwithstanding any other provision
- 19 of law, funds previously or herein made available to a tribe
- 20 or tribal organization through a contract, grant, or agree-
- 21 ment authorized by title I or title V of the Indian Self-
- 22 Determination and Education Assistance Act of 1975 (25)
- 23 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may
- 24 be deobligated and reobligated to a self-determination con-
- 25 tract under title I, or a self-governance agreement under



1	title V of such Act and thereafter shall remain available
2	to the tribe or tribal organization without fiscal year limi
3	tation: Provided further, That none of the funds made
4	available to the Indian Health Service in this Act shall
5	be used to implement the final rule published in the Fed
6	eral Register on September 16, 1987, by the Departmen
7	of Health and Human Services, relating to the eligibility
8	for the health care services of the Indian Health Service
9	until the Indian Health Service has submitted a budge
10	request reflecting the increased costs associated with the
11	proposed final rule, and such request has been included
12	in an appropriations Act and enacted into law: Provided
13	further, That with respect to functions transferred by the
14	Indian Health Service to tribes or tribal organizations, the
15	Indian Health Service is authorized to provide goods and
16	services to those entities on a reimbursable basis, includ
17	ing payments in advance with subsequent adjustment, and
18	the reimbursements received therefrom, along with the
19	funds received from those entities pursuant to the Indian
20	Self-Determination Act, may be credited to the same of
21	subsequent appropriation account from which the funds
22	were originally derived, with such amounts to remain
23	available until expended: Provided further, That reim
24	bursements for training, technical assistance, or services
25	provided by the Indian Health Service will contain total



1	costs, including direct, administrative, and overhead costs
2	associated with the provision of goods, services, or tech-
3	nical assistance: Provided further, That the Indian Health
4	Service may provide to civilian medical personnel serving
5	in hospitals operated by the Indian Health Service housing
6	allowances equivalent to those that would be provided to
7	members of the Commissioned Corps of the United States
8	Public Health Service serving in similar positions at such
9	hospitals: Provided further, That the appropriation struc-
10	ture for the Indian Health Service may not be altered
11	without advance notification to the House and Senate
12	Committees on Appropriations.
13	NATIONAL INSTITUTES OF HEALTH
14	NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
15	SCIENCES
16	For necessary expenses for the National Institute of
17	Environmental Health Sciences in carrying out activities
18	set forth in section 311(a) of the Comprehensive Environ-
19	mental Response, Compensation, and Liability Act of
20	1980 (42 U.S.C. 9660(a)) and section 126(g) of the
21	Superfund Amendments and Reauthorization Act of 1986
22	\$79,000,000.



1	AGENCY FOR TOXIC SUBSTANCES AND DISEASE
2	REGISTRY
3	TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC
4	HEALTH
5	For necessary expenses for the Agency for Toxic Sub-
6	stances and Disease Registry (ATSDR) in carrying out
7	activities set forth in sections 104(i) and 111(c)(4) of the
8	Comprehensive Environmental Response, Compensation,
9	and Liability Act of 1980 (CERCLA) and section 3019
10	of the Solid Waste Disposal Act, \$74,691,000: Provided,
11	That notwithstanding any other provision of law, in lieu
12	of performing a health assessment under section 104(i)(6)
13	of CERCLA, the Administrator of ATSDR may conduct
14	other appropriate health studies, evaluations, or activities,
15	including, without limitation, biomedical testing, clinical
16	evaluations, medical monitoring, and referral to accredited
17	healthcare providers: Provided further, That in performing
18	any such health assessment or health study, evaluation,
19	or activity, the Administrator of ATSDR shall not be
20	bound by the deadlines in section $104(i)(6)(A)$ of
21	CERCLA: Provided further, That none of the funds appro-
22	priated under this heading shall be available for ATSDR
23	to issue in excess of 40 toxicological profiles pursuant to
24	section 104(i) of CERCLA during fiscal year 2019, and
25	existing profiles may be updated as necessary.



1	OTHER RELATED AGENCIES
2	EXECUTIVE OFFICE OF THE PRESIDENT
3	COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
4	ENVIRONMENTAL QUALITY
5	For necessary expenses to continue functions as-
6	signed to the Council on Environmental Quality and Office
7	of Environmental Quality pursuant to the National Envi-
8	ronmental Policy Act of 1969, the Environmental Quality
9	Improvement Act of 1970, and Reorganization Plan No.
10	1 of 1977, and not to exceed \$750 for official reception
11	and representation expenses, \$2,994,000: Provided, That
12	notwithstanding section 202 of the National Environ-
13	mental Policy Act of 1970, the Council shall consist of
14	one member, appointed by the President, by and with the
15	advice and consent of the Senate, serving as chairman and
16	exercising all powers, functions, and duties of the Council
17	CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
18	SALARIES AND EXPENSES
19	For necessary expenses in carrying out activities pur-
20	suant to section 112(r)(6) of the Clean Air Act, including
21	hire of passenger vehicles, uniforms or allowances there-
22	for, as authorized by 5 U.S.C. 5901–5902, and for serv-
23	ices authorized by 5 U.S.C. 3109 but at rates for individ-
24	uals not to exceed the per diem equivalent to the maximum
25	rate payable for senior level positions under 5 U.S.C.



1	5376, \$12,000,000: Provided, That the Chemical Safety
2	and Hazard Investigation Board (Board) shall have not
3	more than three career Senior Executive Service positions:
4	Provided further, That notwithstanding any other provi-
5	sion of law, the individual appointed to the position of In-
6	spector General of the Environmental Protection Agency
7	(EPA) shall, by virtue of such appointment, also hold the
8	position of Inspector General of the Board: Provided fur-
9	ther, That notwithstanding any other provision of law, the
10	Inspector General of the Board shall utilize personnel of
11	the Office of Inspector General of EPA in performing the
12	duties of the Inspector General of the Board, and shall
13	not appoint any individuals to positions within the Board.
14	Office of Navajo and Hopi Indian Relocation
15	SALARIES AND EXPENSES
16	(INCLUDING TRANSFER OF FUNDS)
17	For necessary expenses of the Office of Navajo and
18	Hopi Indian Relocation as authorized by Public Law 93–
19	531, $$8,750,000$, to remain available until expended: $Pro-$
20	vided, That funds provided in this or any other appropria-
21	tions Act are to be used to relocate eligible individuals and
22	groups including evictees from District 6, Hopi-partitioned
23	lands residents, those in significantly substandard hous-
24	ing, and all others certified as eligible and not included
25	in the preceding categories: Provided further That none



1	of the funds contained in this or any other Act may be
2	used by the Office of Navajo and Hopi Indian Relocation
3	to evict any single Navajo or Navajo family who, as of
4	November 30, 1985, was physically domiciled on the lands
5	partitioned to the Hopi Tribe unless a new or replacement
6	home is provided for such household: $Provided\ further,$
7	That no relocatee will be provided with more than one new
8	or replacement home: $Provided\ further,\ That\ the\ Office$
9	shall relocate any certified eligible relocatees who have se-
10	lected and received an approved homesite on the Navajo
11	reservation or selected a replacement residence off the
12	Navajo reservation or on the land acquired pursuant to
13	section 11 of Public Law 93–531 (88 Stat. 1716): $Pro-$
14	$vided\ further,$ That \$1,000,000 shall be transferred to the
15	Office of the Inspector General of the Department of the
16	Interior, to remain available until expended, for audits and
17	investigations of the Office of Navajo and Hopi Indian Re-
18	location, consistent with the Inspector General Act of
19	1978 (5 U.S.C. App.).
20	Institute of American Indian and Alaska Native
21	CULTURE AND ARTS DEVELOPMENT
22	PAYMENT TO THE INSTITUTE
23	For payment to the Institute of American Indian and
24	Alaska Native Culture and Arts Development, as author-
25	ized by part A of title XV of Public Law 99-498 (20



1	U.S.C. 4411 et seq.), $\$9,960,000$, which shall become
2	available on July 1, 2019, and shall remain available until
3	September 30, 2020.
4	SMITHSONIAN INSTITUTION
5	SALARIES AND EXPENSES
6	For necessary expenses of the Smithsonian Institu-
7	tion, as authorized by law, including research in the fields
8	of art, science, and history; development, preservation, and
9	documentation of the National Collections; presentation of
10	public exhibits and performances; collection, preparation,
11	dissemination, and exchange of information and publica-
12	tions; conduct of education, training, and museum assist-
13	ance programs; maintenance, alteration, operation, lease
14	agreements of no more than 30 years, and protection of
15	buildings, facilities, and approaches; not to exceed
16	$100,\!000$ for services as authorized by 5 U.S.C. 3109; and
17	purchase, rental, repair, and cleaning of uniforms for em-
18	ployees, \$739,994,000, to remain available until Sep-
19	tember 30, 2020, except as otherwise provided herein; of
20	which not to exceed $\$6,917,000$ for the instrumentation
21	program, collections acquisition, exhibition reinstallation,
22	and the repatriation of skeletal remains program shall re-
23	main available until expended; and including such funds
24	as may be necessary to support American overseas re-
25	search centers: Provided, That funds appropriated herein



1	are available for advance payments to independent con-
2	tractors performing research services or participating in
3	official Smithsonian presentations.
4	FACILITIES CAPITAL
5	For necessary expenses of repair, revitalization, and
6	alteration of facilities owned or occupied by the Smithso-
7	nian Institution, by contract or otherwise, as authorized
8	by section 2 of the Act of August 22, 1949 (63 Stat. 623),
9	and for construction, including necessary personnel,
10	\$303,503,000, to remain available until expended, of
11	which not to exceed \$10,000 shall be for services as au-
12	thorized by 5 U.S.C. 3109.
13	NATIONAL GALLERY OF ART
14	SALARIES AND EXPENSES
15	For the upkeep and operations of the National Gal-
16	
	lery of Art, the protection and care of the works of art
17	
17	
17	therein, and administrative expenses incident thereto, as
17 18	therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51),
17 18 19	therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939
17 18 19 20	therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including
17 18 19 20 21	therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in ad-
17 18 19 20 21 22	therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for



1	general public; purchase, repair, and cleaning of uniforms
2	for guards, and uniforms, or allowances therefor, for other
3	employees as authorized by law (5 U.S.C. 5901–5902);
4	purchase or rental of devices and services for protecting
5	buildings and contents thereof, and maintenance, alter-
6	ation, improvement, and repair of buildings, approaches,
7	and grounds; and purchase of services for restoration and
8	repair of works of art for the National Gallery of Art by
9	contracts made, without advertising, with individuals,
10	firms, or organizations at such rates or prices and under
11	such terms and conditions as the Gallery may deem prop-
12	er, \$144,202,000, to remain available until September 30,
13	2020, of which not to exceed $\$3,640,000$ for the special
14	exhibition program shall remain available until expended.
15	REPAIR, RESTORATION AND RENOVATION OF BUILDINGS
16	For necessary expenses of repair, restoration and
17	renovation of buildings, grounds and facilities owned or
18	occupied by the National Gallery of Art, by contract or
19	otherwise, for operating lease agreements of no more than
20	10 years, with no extensions or renewals beyond the 10
21	years, that address space needs created by the ongoing
22	renovations in the Master Facilities Plan, as authorized,
23	\$24,203,000, to remain available until expended: $Pro-$
24	vided, That contracts awarded for environmental systems,
25	protection systems, and exterior repair or renovation of



1	buildings of the National Gallery of Art may be negotiated
2	with selected contractors and awarded on the basis of con-
3	tractor qualifications as well as price.
4	JOHN F. KENNEDY CENTER FOR THE PERFORMING
5	Arts
6	OPERATIONS AND MAINTENANCE
7	For necessary expenses for the operation, mainte-
8	nance and security of the John F. Kennedy Center for
9	the Performing Arts, \$24,490,000.
10	CAPITAL REPAIR AND RESTORATION
11	For necessary expenses for capital repair and restora-
12	tion of the existing features of the building and site of
13	the John F. Kennedy Center for the Performing Arts,
14	\$16,800,000, to remain available until expended.
15	Woodrow Wilson International Center for
16	Scholars
17	SALARIES AND EXPENSES
18	For expenses necessary in carrying out the provisions
19	of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
20	1356) including hire of passenger vehicles and services as
21	authorized by 5 U.S.C. 3109, \$12,000,000, to remain
22	available until September 30, 2020.



1	NATIONAL FOUNDATION ON THE ARTS AND THE
2	HUMANITIES
3	NATIONAL ENDOWMENT FOR THE ARTS
4	GRANTS AND ADMINISTRATION
5	For necessary expenses to carry out the National
6	Foundation on the Arts and the Humanities Act of 1965
7	\$155,000,000 shall be available to the National Endow-
8	ment for the Arts for the support of projects and produc-
9	tions in the arts, including arts education and public out-
10	reach activities, through assistance to organizations and
11	individuals pursuant to section 5 of the Act, for program
12	support, and for administering the functions of the Act
13	to remain available until expended.
14	NATIONAL ENDOWMENT FOR THE HUMANITIES
15	GRANTS AND ADMINISTRATION
16	For necessary expenses to carry out the National
17	Foundation on the Arts and the Humanities Act of 1965
18	\$155,000,000 to remain available until expended, of which
19	\$141,750,000 shall be available for support of activities
20	in the humanities, pursuant to section 7(e) of the Act and
21	for administering the functions of the Act; and
22	\$13,250,000 shall be available to carry out the matching
23	grants program pursuant to section 10(a)(2) of the Act
24	including \$11,250,000 for the purposes of section 7(h)
25	Provided, That appropriations for carrying out section



- 1 10(a)(2) shall be available for obligation only in such
- 2 amounts as may be equal to the total amounts of gifts,
- 3 bequests, devises of money, and other property accepted
- 4 by the chairman or by grantees of the National Endow-
- 5 ment for the Humanities under the provisions of sections
- 6 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
- 7 ceding fiscal years for which equal amounts have not pre-
- 8 viously been appropriated.

9 Administrative Provisions

- None of the funds appropriated to the National
- 11 Foundation on the Arts and the Humanities may be used
- 12 to process any grant or contract documents which do not
- 13 include the text of 18 U.S.C. 1913: Provided, That none
- 14 of the funds appropriated to the National Foundation on
- 15 the Arts and the Humanities may be used for official re-
- 16 ception and representation expenses: Provided further,
- 17 That funds from nonappropriated sources may be used as
- 18 necessary for official reception and representation ex-
- 19 penses: Provided further, That the Chairperson of the Na-
- 20 tional Endowment for the Arts may approve grants of up
- 21 to \$10,000, if in the aggregate the amount of such grants
- 22 does not exceed 5 percent of the sums appropriated for
- 23 grantmaking purposes per year: Provided further, That
- 24 such small grant actions are taken pursuant to the terms



1	of an expressed and direct delegation of authority from
2	the National Council on the Arts to the Chairperson.
3	COMMISSION OF FINE ARTS
4	SALARIES AND EXPENSES
5	For expenses of the Commission of Fine Arts under
6	chapter 91 of title 40, United States Code, \$2,771,000
7	Provided, That the Commission is authorized to charge
8	fees to cover the full costs of its publications, and such
9	fees shall be credited to this account as an offsetting col-
10	lection, to remain available until expended without further
11	appropriation: Provided further, That the Commission is
12	authorized to accept gifts, including objects, papers, art
13	work, drawings and artifacts, that pertain to the history
14	and design of the Nation's Capital or the history and ac
15	tivities of the Commission of Fine Arts, for the purpose
16	of artistic display, study, or education: Provided further
17	That one-tenth of one percent of the funds provided under
18	this heading may be used for official reception and rep
19	resentation expenses.
20	NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS
21	For necessary expenses as authorized by Public Law
22	99–190 (20 U.S.C. 956a), \$2,750,000.



1	Advisory Council on Historic Preservation									
2	SALARIES AND EXPENSES									
3	For necessary expenses of the Advisory Council on									
4	Historic Preservation (Public Law 89–665), \$6,890,000.									
5	NATIONAL CAPITAL PLANNING COMMISSION									
6	SALARIES AND EXPENSES									
7	For necessary expenses of the National Capital Plan-									
8	ning Commission under chapter 87 of title 40, United									
9	States Code, including services as authorized by 5 U.S.C.									
10	3109, \$8,099,000: <i>Provided</i> , That one-quarter of 1 per-									
11	cent of the funds provided under this heading may be used									
12	for official reception and representational expenses associ-									
13	ated with hosting international visitors engaged in the									
14	planning and physical development of world capitals.									
15	United States Holocaust Memorial Museum									
16	HOLOCAUST MEMORIAL MUSEUM									
17	For expenses of the Holocaust Memorial Museum, as									
18	authorized by Public Law 106–292 (36 U.S.C. 2301–									
19	2310), \$59,000,000, of which \$1,715,000 shall remain									
20	available until September 30, 2021, for the Museum's									
21	equipment replacement program; and of which \$4,000,000									
22	for the Museum's repair and rehabilitation program and									
23	\$1,264,000 for the Museum's outreach initiatives program									
24	shall remain available until expended.									



1	DWIGHT D. EISENHOWER MEMORIAL COMMISSION
2	SALARIES AND EXPENSES
3	For necessary expenses of the Dwight D. Eisenhower
4	Memorial Commission, \$1,800,000, to remain available
5	until expended.
6	WOMEN'S SUFFRAGE CENTENNIAL COMMISSION
7	SALARIES AND EXPENSES
8	For necessary expenses for the Women's Suffrage
9	Centennial Commission, as authorized by the Women's
10	Suffrage Centennial Commission Act (section 431(a)(3) of
11	division G of Public Law 115–31), $$1,000,000$, to remain
12	available until expended.
13	WORLD WAR I CENTENNIAL COMMISSION
14	SALARIES AND EXPENSES
15	Notwithstanding section 9 of the World War I Cen-
16	tennial Commission Act, as authorized by the World War
17	I Centennial Commission Act (Public Law 112–272) and
18	the Carl Levin and Howard P. "Buck" McKeon National
19	Defense Authorization Act for Fiscal Year 2015 (Public
20	Law 113–291), for necessary expenses of the World War
21	I Centennial Commission, \$7,000,000, to remain available
22	until expended: $Provided$, That in addition to the authority
23	provided by section 6(g) of such Act, the World War I
24	Commission may accept money, in-kind personnel services,



- 1 contractual support, or any appropriate support from any
- 2 executive branch agency for activities of the Commission.



1	TITLE IV
2	GENERAL PROVISIONS
3	(INCLUDING TRANSFERS OF FUNDS)
4	RESTRICTION ON USE OF FUNDS
5	Sec. 401. No part of any appropriation contained in
6	this Act shall be available for any activity or the publica-
7	tion or distribution of literature that in any way tends to
8	promote public support or opposition to any legislative
9	proposal on which Congressional action is not complete
10	other than to communicate to Members of Congress as
11	described in 18 U.S.C. 1913.
12	OBLIGATION OF APPROPRIATIONS
13	Sec. 402. No part of any appropriation contained in
14	this Act shall remain available for obligation beyond the
15	current fiscal year unless expressly so provided herein.
16	DISCLOSURE OF ADMINISTRATIVE EXPENSES
17	Sec. 403. The amount and basis of estimated over-
18	head charges, deductions, reserves or holdbacks, including
19	working capital fund and cost pool charges, from pro-
20	grams, projects, activities and subactivities to support gov-
21	ernment-wide, departmental, agency, or bureau adminis-
22	trative functions or headquarters, regional, or central op-
23	erations shall be presented in annual budget justifications
24	and subject to approval by the Committees on Appropria-
25	tions of the House of Representatives and the Senate.



- 1 Changes to such estimates shall be presented to the Com-
- 2 mittees on Appropriations for approval.
- 3 MINING APPLICATIONS
- 4 Sec. 404. (a) Limitation of Funds.—None of the
- 5 funds appropriated or otherwise made available pursuant
- 6 to this Act shall be obligated or expended to accept or
- 7 process applications for a patent for any mining or mill
- 8 site claim located under the general mining laws.
- 9 (b) Exceptions.—Subsection (a) shall not apply if
- 10 the Secretary of the Interior determines that, for the claim
- 11 concerned (1) a patent application was filed with the Sec-
- 12 retary on or before September 30, 1994; and (2) all re-
- 13 quirements established under sections 2325 and 2326 of
- 14 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
- 15 lode claims, sections 2329, 2330, 2331, and 2333 of the
- 16 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
- 17 claims, and section 2337 of the Revised Statutes (30
- 18 U.S.C. 42) for mill site claims, as the case may be, were
- 19 fully complied with by the applicant by that date.
- (c) Report.—On September 30, 2020, the Secretary
- 21 of the Interior shall file with the House and Senate Com-
- 22 mittees on Appropriations and the Committee on Natural
- 23 Resources of the House and the Committee on Energy and
- 24 Natural Resources of the Senate a report on actions taken
- 25 by the Department under the plan submitted pursuant to



1	section	3	14(0)	of	the	D	epartment	αf	the	Interior	and	Re-
1.	Section	0	TI.	01	OT.	ULIC		cpar unicit	OI	ULIC	THIGHTOL	and	TIC-

- 2 lated Agencies Appropriations Act, 1997 (Public Law
- 3 104–208).
- 4 (d) Mineral Examinations.—In order to process
- 5 patent applications in a timely and responsible manner,
- 6 upon the request of a patent applicant, the Secretary of
- 7 the Interior shall allow the applicant to fund a qualified
- 8 third-party contractor to be selected by the Director of the
- 9 Bureau of Land Management to conduct a mineral exam-
- 10 ination of the mining claims or mill sites contained in a
- 11 patent application as set forth in subsection (b). The Bu-
- 12 reau of Land Management shall have the sole responsi-
- 13 bility to choose and pay the third-party contractor in ac-
- 14 cordance with the standard procedures employed by the
- 15 Bureau of Land Management in the retention of third-
- 16 party contractors.
- 17 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION
- 18 Sec. 405. Sections 405 and 406 of division F of the
- 19 Consolidated and Further Continuing Appropriations Act,
- 20 2015 (Public Law 113–235) shall continue in effect in fis-
- 21 cal year 2019.
- 22 CONTRACT SUPPORT COSTS, FISCAL YEAR 2019
- 23 LIMITATION
- 24 Sec. 406. Amounts provided by this Act for fiscal
- 25 year 2019 under the headings "Department of Health and



- 1 Human Services, Indian Health Service, Contract Support
- 2 Costs" and "Department of the Interior, Bureau of Indian
- 3 Affairs and Bureau of Indian Education, Contract Sup-
- 4 port Costs" are the only amounts available for contract
- 5 support costs arising out of self-determination or self-gov-
- 6 ernance contracts, grants, compacts, or annual funding
- 7 agreements for fiscal year 2019 with the Bureau of Indian
- 8 Affairs or the Indian Health Service: Provided, That such
- 9 amounts provided by this Act are not available for pay-
- 10 ment of claims for contract support costs for prior years,
- 11 or for repayments of payments for settlements or judg-
- 12 ments awarding contract support costs for prior years.
- 13 FOREST MANAGEMENT PLANS
- 14 Sec. 407. The Secretary of Agriculture shall not be
- 15 considered to be in violation of subparagraph 6(f)(5)(A)
- 16 of the Forest and Rangeland Renewable Resources Plan-
- 17 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
- 18 more than 15 years have passed without revision of the
- 19 plan for a unit of the National Forest System. Nothing
- 20 in this section exempts the Secretary from any other re-
- 21 quirement of the Forest and Rangeland Renewable Re-
- 22 sources Planning Act (16 U.S.C. 1600 et seq.) or any
- 23 other law: Provided, That if the Secretary is not acting
- 24 expeditiously and in good faith, within the funding avail-
- 25 able, to revise a plan for a unit of the National Forest



- 1 System, this section shall be void with respect to such plan
- 2 and a court of proper jurisdiction may order completion
- 3 of the plan on an accelerated basis.
- 4 PROHIBITION WITHIN NATIONAL MONUMENTS
- 5 Sec. 408. No funds provided in this Act may be ex-
- 6 pended to conduct preleasing, leasing and related activities
- 7 under either the Mineral Leasing Act (30 U.S.C. 181 et
- 8 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
- 9 1331 et seq.) within the boundaries of a National Monu-
- 10 ment established pursuant to the Act of June 8, 1906 (16
- 11 U.S.C. 431 et seq.) as such boundary existed on January
- 12 20, 2001, except where such activities are allowed under
- 13 the Presidential proclamation establishing such monu-
- 14 ment.
- 15 LIMITATION ON TAKINGS
- 16 Sec. 409. Unless otherwise provided herein, no funds
- 17 appropriated in this Act for the acquisition of lands or
- 18 interests in lands may be expended for the filing of dec-
- 19 larations of taking or complaints in condemnation without
- 20 the approval of the House and Senate Committees on Ap-
- 21 propriations: Provided, That this provision shall not apply
- 22 to funds appropriated to implement the Everglades Na-
- 23 tional Park Protection and Expansion Act of 1989, or to
- 24 funds appropriated for Federal assistance to the State of



1 Florida	ı to	acquire	lands	for	Everglades	restoration	pur-
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- 2 poses.
- 3 TIMBER SALE REQUIREMENTS
- 4 Sec. 410. No timber sale in Alaska's Region 10 shall
- 5 be advertised if the indicated rate is deficit (defined as
- 6 the value of the timber is not sufficient to cover all logging
- 7 and stumpage costs and provide a normal profit and risk
- 8 allowance under the Forest Service's appraisal process)
- 9 when appraised using a residual value appraisal. The west-
- 10 ern red cedar timber from those sales which is surplus
- 11 to the needs of the domestic processors in Alaska, shall
- 12 be made available to domestic processors in the contiguous
- 13 48 United States at prevailing domestic prices. All addi-
- 14 tional western red cedar volume not sold to Alaska or con-
- 15 tiguous 48 United States domestic processors may be ex-
- 16 ported to foreign markets at the election of the timber sale
- 17 holder. All Alaska yellow cedar may be sold at prevailing
- 18 export prices at the election of the timber sale holder.
- 19 PROHIBITION ON NO-BID CONTRACTS
- Sec. 411. None of the funds appropriated or other-
- 21 wise made available by this Act to executive branch agen-
- 22 cies may be used to enter into any Federal contract unless
- 23 such contract is entered into in accordance with the re-
- 24 quirements of Chapter 33 of title 41, United States Code,



1	or Chapter 137 of title 10, United States Code, and the
2	Federal Acquisition Regulation, unless—
3	(1) Federal law specifically authorizes a con-
4	tract to be entered into without regard for these re-
5	quirements, including formula grants for States, or
6	federally recognized Indian tribes;
7	(2) such contract is authorized by the Indian
8	Self-Determination and Education Assistance Act
9	(Public Law 93–638, 25 U.S.C. 450 et seq.) or by
10	any other Federal laws that specifically authorize a
11	contract within an Indian tribe as defined in section
12	4(e) of that Act (25 U.S.C. 450b(e)); or
13	(3) such contract was awarded prior to the date
14	of enactment of this Act.
15	POSTING OF REPORTS
16	Sec. 412. (a) Any agency receiving funds made avail-
17	able in this Act, shall, subject to subsections (b) and (c),
18	post on the public website of that agency any report re-
19	quired to be submitted by the Congress in this or any
20	other Act, upon the determination by the head of the agen-
21	cy that it shall serve the national interest.
22	(b) Subsection (a) shall not apply to a report if—
23	(1) the public posting of the report com-
24	promises national security; or
25	(2) the report contains proprietary information.



1	(c) The head of the agency posting such report shall
2	do so only after such report has been made available to
3	the requesting Committee or Committees of Congress for
4	no less than 45 days.
5	NATIONAL ENDOWMENT FOR THE ARTS GRANT
6	GUIDELINES
7	Sec. 413. Of the funds provided to the National En-
8	dowment for the Arts—
9	(1) The Chairperson shall only award a grant
10	to an individual if such grant is awarded to such in-
11	dividual for a literature fellowship, National Herit-
12	age Fellowship, or American Jazz Masters Fellow-
13	ship.
14	(2) The Chairperson shall establish procedures
15	to ensure that no funding provided through a grant,
16	except a grant made to a State or local arts agency,
17	or regional group, may be used to make a grant to
18	any other organization or individual to conduct ac-
19	tivity independent of the direct grant recipient.
20	Nothing in this subsection shall prohibit payments
21	made in exchange for goods and services.
22	(3) No grant shall be used for seasonal support
23	to a group, unless the application is specific to the
24	contents of the season, including identified programs
25	or projects.



1	NATIONAL ENDOWMENT FOR THE ARTS PROGRAM
2	PRIORITIES
3	Sec. 414. (a) In providing services or awarding fi-
4	nancial assistance under the National Foundation on the
5	Arts and the Humanities Act of 1965 from funds appro-
6	priated under this Act, the Chairperson of the Nationa
7	Endowment for the Arts shall ensure that priority is given
8	to providing services or awarding financial assistance for
9	projects, productions, workshops, or programs that serve
10	underserved populations.
11	(b) In this section:
12	(1) The term "underserved population" means
13	a population of individuals, including urban minori-
14	ties, who have historically been outside the purview
15	of arts and humanities programs due to factors such
16	as a high incidence of income below the poverty line
17	or to geographic isolation.
18	(2) The term "poverty line" means the poverty
19	line (as defined by the Office of Management and
20	Budget, and revised annually in accordance with sec-
21	tion 673(2) of the Community Services Block Grant
22	Act (42 U.S.C. 9902(2))) applicable to a family of
23	the size involved.
24	(c) In providing services and awarding financial as-
25	sistance under the National Foundation on the Arts and



1	Humanities Act of 1965 with funds appropriated by this
2	Act, the Chairperson of the National Endowment for the
3	Arts shall ensure that priority is given to providing serv-
4	ices or awarding financial assistance for projects, produc-
5	tions, workshops, or programs that will encourage public
6	knowledge, education, understanding, and appreciation of
7	the arts.
8	(d) With funds appropriated by this Act to carry out
9	section 5 of the National Foundation on the Arts and Hu-
10	manities Act of 1965—
11	(1) the Chairperson shall establish a grant cat-
12	egory for projects, productions, workshops, or pro-
13	grams that are of national impact or availability or
14	are able to tour several States;
15	(2) the Chairperson shall not make grants ex-
16	ceeding 15 percent, in the aggregate, of such funds
17	to any single State, excluding grants made under the
18	authority of paragraph (1);
19	(3) the Chairperson shall report to the Con-
20	gress annually and by State, on grants awarded by
21	the Chairperson in each grant category under sec-
22	tion 5 of such Act; and
23	(4) the Chairperson shall encourage the use of
24	grants to improve and support community-based
25	music performance and education.



1	STATUS OF BALANCES OF APPROPRIATIONS
2	SEC. 415. The Department of the Interior, the Envi-
3	ronmental Protection Agency, the Forest Service, and the
4	Indian Health Service shall provide the Committees on
5	Appropriations of the House of Representatives and Sen-
6	ate quarterly reports on the status of balances of appro-
7	priations including all uncommitted, committed, and unob-
8	ligated funds in each program and activity.
9	PROHIBITION ON USE OF FUNDS
10	Sec. 416. Notwithstanding any other provision of
11	law, none of the funds made available in this Act or any
12	other Act may be used to promulgate or implement any
13	regulation requiring the issuance of permits under title V
14	of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
15	dioxide, nitrous oxide, water vapor, or methane emissions
16	resulting from biological processes associated with live-
17	stock production.
18	GREENHOUSE GAS REPORTING RESTRICTIONS
19	Sec. 417. Notwithstanding any other provision of
20	law, none of the funds made available in this or any other
21	Act may be used to implement any provision in a rule,
22	if that provision requires mandatory reporting of green-
23	house gas emissions from manure management systems.



1	FUNDING PROHIBITION
2	Sec. 418. None of the funds made available by this
3	or any other Act may be used to regulate the lead content
4	of ammunition, ammunition components, or fishing tackle
5	under the Toxic Substances Control Act (15 U.S.C. 2601
6	et seq.) or any other law.
7	CONTRACTING AUTHORITIES
8	Sec. 419. Section 412 of Division E of Public Law
9	112–74 is amended by striking "fiscal year 2019" and in-
10	serting "fiscal year 2020".
11	EXTENSION OF GRAZING PERMITS
12	Sec. 420. The terms and conditions of section 325
13	of Public Law 108–108 (117 Stat. 1307), regarding graz-
14	ing permits issued by the Forest Service on any lands not
15	subject to administration under section 402 of the Federal
16	Lands Policy and Management Act (43 U.S.C. 1752)
17	shall remain in effect for fiscal year 2019.
18	FUNDING PROHIBITION
19	Sec. 421. (a) None of the funds made available in
20	this Act may be used to maintain or establish a computer
21	network unless such network is designed to block access
22	to pornography websites.
23	(b) Nothing in subsection (a) shall limit the use of
24	funds necessary for any Federal State tribal or local law



1 enfo	orcement	agency	or	any	other	entity	carrying	out	crimi-
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- 2 nal investigations, prosecution, or adjudication activities.
- 3 FOREST SERVICE FACILITY REALIGNMENT AND
- 4 ENHANCEMENT ACT
- 5 Sec. 422. Section 503(f) of the Forest Service Facil-
- 6 ity Realignment and Enhancement Act of 2005 (16 U.S.C.
- 7 580d note; Public Law 109-54) is amended by striking
- 8 "2018" and inserting "2019".
- 9 USE OF AMERICAN IRON AND STEEL
- Sec. 423. (a)(1) None of the funds made available
- 11 by a State water pollution control revolving fund as au-
- 12 thorized by section 1452 of the Safe Drinking Water Act
- 13 (42 U.S.C. 300j-12) shall be used for a project for the
- 14 construction, alteration, maintenance, or repair of a public
- 15 water system or treatment works unless all of the iron and
- 16 steel products used in the project are produced in the
- 17 United States.
- 18 (2) In this section, the term "iron and steel" products
- 19 means the following products made primarily of iron or
- 20 steel: lined or unlined pipes and fittings, manhole covers
- 21 and other municipal castings, hydrants, tanks, flanges,
- 22 pipe clamps and restraints, valves, structural steel, rein-
- 23 forced precast concrete, and construction materials.
- 24 (b) Subsection (a) shall not apply in any case or cat-
- 25 egory of cases in which the Administrator of the Environ-



1	mental Protection Agency (in this section referred to as
2	the "Administrator") finds that—
3	(1) applying subsection (a) would be incon-
4	sistent with the public interest;
5	(2) iron and steel products are not produced in
6	the United States in sufficient and reasonably avail-
7	able quantities and of a satisfactory quality; or
8	(3) inclusion of iron and steel products pro-
9	duced in the United States will increase the cost of
10	the overall project by more than 25 percent.
11	(c) If the Administrator receives a request for a waiv-
12	er under this section, the Administrator shall make avail-
13	able to the public on an informal basis a copy of the re-
14	quest and information available to the Administrator con-
15	cerning the request, and shall allow for informal public
16	input on the request for at least 15 days prior to making
17	a finding based on the request. The Administrator shall
18	make the request and accompanying information available
19	by electronic means, including on the official public Inter-
20	net Web site of the Environmental Protection Agency.
21	(d) This section shall be applied in a manner con-
22	sistent with United States obligations under international
23	agreements.
24	(e) The Administrator may retain up to 0.25 percent
25	of the funds appropriated in this Act for the Clean and



- 1 Drinking Water State Revolving Funds for carrying out
- 2 the provisions described in subsection (a)(1) for manage-
- 3 ment and oversight of the requirements of this section.
- 4 MIDWAY ISLAND
- 5 Sec. 424. None of the funds made available by this
- 6 Act may be used to destroy any buildings or structures
- 7 on Midway Island that have been recommended by the
- 8 United States Navy for inclusion in the National Register
- 9 of Historic Places (54 U.S.C. 302101).
- JOHN F. KENNEDY CENTER REAUTHORIZATION
- 11 Sec. 425. Section 13 of the John F. Kennedy Center
- 12 Act (20 U.S.C. 76r) is amended by striking subsections
- 13 (a) and (b) and inserting the following:
- 14 "(a) Maintenance, Repair, and Security.—
- 15 There is authorized to be appropriated to the Board to
- 16 carry out section 4(a)(1)(H), \$24,490,000 for fiscal year
- 17 2019.
- 18 "(b) Capital Projects.—There is authorized to be
- 19 appropriated to the Board to carry out subparagraphs (F)
- 20 and (G) of section 4(a)(1), \$16,800,000 for fiscal year
- 21 2019.".

1	LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
2	FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
3	WILDFIRES
4	Sec. 426. The Secretary of the Interior is authorized
5	to enter into grants and cooperative agreements with vol-
6	unteer fire departments, rural fire departments, rangeland
7	fire protection associations, and similar organizations to
8	provide for wildland fire training and equipment, including
9	supplies and communication devices. Notwithstanding
10	121(c) of title 40, United States Code, or section 521 of
11	title 40, United States Code, the Secretary is further au-
12	thorized to transfer title to excess Department of the Inte-
13	rior firefighting equipment no longer needed to carry out
14	the functions of the Department's wildland fire manage-
15	ment program to such organizations.
16	RECREATION FEES
17	Sec. 427. Section 810 of the Federal Lands Recre-
18	ation Enhancement Act (16 U.S.C. 6809) shall be applied
19	by substituting "October 1, 2020" for "September 30,
20	2019".
21	POLICIES RELATING TO BIOMASS ENERGY
22	Sec. 428. To support the key role that forests in the
23	United States can play in addressing the energy needs of
24	the United States, the Secretary of Energy, the Secretary



25 of Agriculture, and the Administrator of the Environ-

1	mental Protection Agency shall, consistent with their mis-
2	sions, jointly—
3	(1) ensure that Federal policy relating to forest
4	bioenergy—
5	(A) is consistent across all Federal depart-
6	ments and agencies; and
7	(B) recognizes the full benefits of the use
8	of forest biomass for energy, conservation, and
9	responsible forest management; and
10	(2) establish clear and simple policies for the
11	use of forest biomass as an energy solution, includ-
12	ing policies that—
13	(A) reflect the carbon-neutrality of forest
14	bioenergy and recognize biomass as a renewable
15	energy source, provided the use of forest bio-
16	mass for energy production does not cause con-
17	version of forests to non-forest use;
18	(B) encourage private investment through-
19	out the forest biomass supply chain, including
20	in—
21	(i) working forests;
22	(ii) harvesting operations;
23	(iii) forest improvement operations;
24	(iv) forest bioenergy production;
25	(v) wood products manufacturing; or



1	(vi) paper manufacturing;
2	(C) encourage forest management to im-
3	prove forest health; and
4	(D) recognize State initiatives to produce
5	and use forest biomass.
6	INFRASTRUCTURE
7	Sec. 429. (a) For an additional amount for "Envi-
8	ronmental Protection Agency—Hazardous Substance
9	Superfund", \$68,000,000, of which \$60,000,000 shall be
10	for the Superfund Remedial program and \$8,000,000
11	shall be for the Superfund Emergency Response and Re-
12	moval program, to remain available until expended, con-
13	sisting of such sums as are available in the Trust Fund
14	on September 30, 2018, as authorized by section 517(a)
15	of the Superfund Amendments and Reauthorization Act
16	of 1986 (SARA) and up to \$68,000,000 as a payment
17	from general revenues to the Hazardous Substance Super-
18	fund for purposes as authorized by section 517(b) of
19	SARA.
20	(b) For an additional amount for "Environmental
21	Protection Agency—State and Tribal Assistance Grants,"
22	for environmental programs and infrastructure assistance,
23	including capitalization grants for State revolving funds
24	and performance partnership grants, \$665,000,000 to re-
25	main available until expended, of which—



1	(1) \$300,000,000 shall be for making capital-
2	ization grants for the Clean Water State Revolving
3	Funds under title VI of the Federal Water Pollution
4	Control Act; and of which \$300,000,000 shall be for
5	making capitalization grants for the Drinking Water
6	State Revolving Funds under section 1452 of the
7	Safe Drinking Water Act;
8	(2) \$25,000,000 shall be for grants for small
9	and disadvantaged communities authorized in sec-
10	tion 2104 of the Water Infrastructure Improvements
11	for the Nation Act (Public Law 114–322);
12	(3) \$25,000,000 shall be for grants for lead
13	testing in school and child care program drinking
14	water authorized in section 2107 of the Water Infra-
15	structure Improvements for the Nation Act (Public
16	Law 114–322);
17	(4) \$15,000,000 shall be for grants for reduc-
18	ing lead in drinking water authorized in section
19	2105 of the Water Infrastructure Improvements for
20	the Nation Act (Public Law 114–322).
21	(c) For an additional amount for "Environmental
22	Protection Agency—Water Infrastructure Finance and In-
23	novation Program Account", \$58,000,000, to remain
24	available until expended, for the cost of direct loans, for
25	the cost of guaranteed loans, and for administrative ex-



- 1 penses to carry out the direct and guaranteed loan pro-
- 2 grams, of which \$3,000,000, to remain available until Sep-
- 3 tember 30, 2020, may be used for such administrative ex-
- 4 penses: Provided, That these additional funds are available
- 5 to subsidize gross obligations for the principal amount of
- 6 direct loans, including capitalized interest, and total loan
- 7 principal, including capitalized interest, any part of which
- 8 is to be guaranteed, not to exceed \$6,700,000,000.
- 9 SMALL REMOTE INCINERATORS
- 10 Sec. 430. None of the funds made available in this
- 11 Act may be used to implement or enforce the regulation
- 12 issued on March 21, 2011 at 40 CFR part 60 subparts
- 13 CCCC and DDDD with respect to units in the State of
- 14 Alaska that are defined as "small, remote incinerator"
- 15 units in those regulations and, until a subsequent regula-
- 16 tion is issued, the Administrator shall implement the law
- 17 and regulations in effect prior to such date.
- 18 CLARIFICATION OF EXEMPTIONS
- 19 Sec. 431. None of the funds made available in this
- 20 Act may be used to require a permit for the discharge
- 21 of dredged or fill material under the Federal Water Pollu-
- 22 tion Control Act (33 U.S.C. 1251 et seq.) for the activities
- 23 identified in subparagraphs (A) and (C) of section
- 24 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).



- 1 This division may be cited as the "Department of the
- 2 Interior, Environment, and Related Agencies Appropria-
- 3 tions Act, 2019".



1	DIVISION F—DEPARTMENT OF STATE,
2	FOREIGN OPERATIONS, AND RELATED
3	PROGRAMS APPROPRIATIONS ACT,
4	2019
5	TITLE I
6	DEPARTMENT OF STATE AND RELATED
7	AGENCY
8	DEPARTMENT OF STATE
9	Administration of Foreign Affairs
10	DIPLOMATIC PROGRAMS
11	For necessary expenses of the Department of State
12	and the Foreign Service not otherwise provided for,
13	\$5,947,952,000, of which up to $$671,726,000$ may remain
14	available until September 30, 2020, and of which up to
15	\$1,469,777,000 may remain available until expended for
16	Worldwide Security Protection: Provided, That funds
17	made available under this heading shall be allocated in ac-
18	cordance with paragraphs (1) through (4) as follows:
19	(1) Human resources.—For necessary ex-
20	penses for training, human resources management,
21	and salaries, including employment without regard
22	to civil service and classification laws of persons on
23	a temporary basis (not to exceed \$700,000), as au-
24	thorized by section 801 of the United States Infor-
25	mation and Educational Exchange Act of 1948,



1	\$2,871,794,000, of which up to \$528,000,000 is for
2	Worldwide Security Protection.
3	(2) Overseas programs.—For necessary ex-
4	penses for the regional bureaus of the Department
5	of State and overseas activities as authorized by law,
6	\$1,338,227,000.
7	(3) DIPLOMATIC POLICY AND SUPPORT.—For
8	necessary expenses for the functional bureaus of the
9	Department of State, including representation to
10	certain international organizations in which the
11	United States participates pursuant to treaties rati-
12	fied pursuant to the advice and consent of the Sen-
13	ate or specific Acts of Congress, general administra-
14	tion, and arms control, nonproliferation and disar-
15	mament activities as authorized, \$773,847,000.
16	(4) Security programs.—For necessary ex-
17	penses for security activities, \$964,084,000, of which
18	up to \$941,777,000 is for Worldwide Security Pro-
19	tection.
20	(5) Fees and payments collected.—In ad-
21	dition to amounts otherwise made available under
22	this heading—
23	(A) as authorized by section 810 of the
24	United States Information and Educational Ex-
25	change Act, not to exceed \$5,000,000, to re-



1	main available until expended, may be credited
2	to this appropriation from fees or other pay-
3	ments received from English teaching, library,
4	motion pictures, and publication programs and
5	from fees from educational advising and coun-
6	seling and exchange visitor programs; and
7	(B) not to exceed \$15,000, which shall be
8	derived from reimbursements, surcharges, and
9	fees for use of Blair House facilities.
10	(6) Transfer of funds, reprogramming,
11	AND OTHER MATTERS.—
12	(A) Notwithstanding any other provision of
13	this Act, funds may be reprogrammed within
14	and between paragraphs (1) through (4) under
15	this heading subject to section 7015 of this Act.
16	(B) Of the amount made available under
17	this heading, not to exceed \$10,000,000 may be
18	transferred to, and merged with, funds made
19	available by this Act under the heading "Emer-
20	gencies in the Diplomatic and Consular Serv-
21	ice", to be available only for emergency evacu-
22	ations and rewards, as authorized.
23	(C) Funds appropriated under this heading
24	are available for acquisition by exchange or pur-
25	chase of passenger motor vehicles as authorized



1	by law and, pursuant to section 1108(g) of title
2	31, United States Code, for the field examina-
3	tion of programs and activities in the United
4	States funded from any account contained in
5	this title.
6	(D) Funds appropriated under this head-
7	ing that are designated for Worldwide Security
8	Protection shall continue to be made available
9	for support of security-related training at sites
10	in existence prior to the enactment of this Act
11	(7) CLARIFICATION.—References to the "Diplo-
12	matic and Consular Programs" account in any pro-
13	vision of law shall be construed to include the "Dip-
14	lomatic Programs" account in this Act and other
15	Acts making appropriations for the Department of
16	State, foreign operations, and related programs.
17	CAPITAL INVESTMENT FUND
18	For necessary expenses of the Capital Investment
19	Fund, as authorized, \$92,770,000, to remain available
20	until expended.
21	OFFICE OF INSPECTOR GENERAL
22	For necessary expenses of the Office of Inspector
23	General, \$90,829,000, notwithstanding section 209(a)(1)
24	of the Foreign Service Act of 1980 (22 U.S.C
25	3929(a)(1)) as it relates to post inspections: Provided



- 1 That of the funds appropriated under this heading,
- 2 \$13,624,000 may remain available until September 30,
- 3 2020.
- 4 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS
- 5 For expenses of educational and cultural exchange
- 6 programs, as authorized, \$700,946,000, to remain avail-
- 7 able until expended, of which not less than \$271,500,000
- 8 shall be for the Fulbright Program and not less than
- 9 \$111,860,000 shall be for Citizen Exchange Program:
- 10 Provided, That fees or other payments received from, or
- 11 in connection with, English teaching, educational advising
- 12 and counseling programs, and exchange visitor programs
- 13 as authorized may be credited to this account, to remain
- 14 available until expended: Provided further, That a portion
- 15 of the Fulbright awards from the Eurasia and Central
- 16 Asia regions shall be designated as Edmund S. Muskie
- 17 Fellowships, following consultation with the Committees
- 18 on Appropriations: Provided further, That any substantive
- 19 modifications from the prior fiscal year to programs fund-
- 20 ed by this Act under this heading shall be subject to prior
- 21 consultation with, and the regular notification procedures
- 22 of, the Committees on Appropriations.
- 23 REPRESENTATION EXPENSES
- 24 For representation expenses as authorized,
- 25 \$8,030,000.



1	PROTECTION	\mathbf{OF}	FOREIGN	MISSIONS	AND	OFFICIALS

- 2 For expenses, not otherwise provided, to enable the
- 3 Secretary of State to provide for extraordinary protective
- 4 services, as authorized, \$30,890,000, to remain available
- 5 until September 30, 2020.
- 6 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE
- 7 For necessary expenses for carrying out the Foreign
- 8 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
- 9 preserving, maintaining, repairing, and planning for real
- 10 property that are owned or leased by the Department of
- 11 State, and renovating, in addition to funds otherwise avail-
- 12 able, the Harry S Truman Building, \$777,200,000, to re-
- 13 main available until September 30, 2023, of which not to
- 14 exceed \$25,000 may be used for overseas representation
- 15 expenses as authorized: Provided, That none of the funds
- 16 appropriated in this paragraph shall be available for acqui-
- 17 sition of furniture, furnishings, or generators for other de-
- 18 partments and agencies of the United States Government.
- 19 In addition, for the costs of worldwide security up-
- 20 grades, acquisition, and construction as authorized,
- 21 \$1,198,249,000, to remain available until expended: Pro-
- 22 vided, That not later than 45 days after enactment of this
- 23 Act, the Secretary of State shall submit to the Committees
- 24 on Appropriations the proposed allocation of funds made
- 25 available under this heading and the actual and antici-



1	pated proceeds of sales or gifts for all projects in fiscal
2	year 2019.
3	EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
4	SERVICE
5	For necessary expenses to enable the Secretary of
6	State to meet unforeseen emergencies arising in the Diplo-
7	matic and Consular Service, as authorized, \$7,885,000, to
8	remain available until expended, of which not to exceed
9	\$1,000,000 may be transferred to, and merged with, funds
10	appropriated by this Act under the heading "Repatriation
11	Loans Program Account": Provided, That \$800,000 of the
12	funds appropriated under this heading may not be obli-
13	gated until the Secretary of State testifies before the Com-
14	mittees on Appropriations concerning the fiscal year 2020
15	budget request for the Department of State: Provided fur-
16	ther, That the limitation of the previous proviso shall not
17	apply if such funds are necessary for emergency evacu-
18	ations and the payment of rewards for information related
19	to international terrorism, narcotics related activities,
20	transnational organized crime, and war crimes as author-
21	ized by section 36 of the State Department Basic Authori-
22	ties Act of 1956 (22 U.S.C. 2708).
23	REPATRIATION LOANS PROGRAM ACCOUNT
24	For the cost of direct loans, \$1,300,000, as author-
25	ized: Provided That such costs including the cost of



- 1 modifying such loans, shall be as defined in section 502
- 2 of the Congressional Budget Act of 1974: Provided fur-
- 3 ther, That such funds are available to subsidize gross obli-
- 4 gations for the principal amount of direct loans not to ex-
- 5 ceed \$5,686,032.
- 6 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN
- 7 For necessary expenses to carry out the Taiwan Rela-
- 8 tions Act (Public Law 96–8), \$31,963,000.
- 9 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
- 10 COLUMBIA
- Not to exceed \$1,806,600 shall be derived from fees
- 12 collected from other executive agencies for lease or use of
- 13 facilities at the International Center in accordance with
- 14 section 4 of the International Center Act (Public Law 90-
- 15 553), and, in addition, as authorized by section 5 of such
- 16 Act, \$743,000, to be derived from the reserve authorized
- 17 by such section, to be used for the purposes set out in
- 18 that section.
- 19 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
- 20 disability fund
- 21 For payment to the Foreign Service Retirement and
- 22 Disability Fund, as authorized, \$158,900,000.



1	International Organizations
2	CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS
3	For necessary expenses, not otherwise provided for,
4	to meet annual obligations of membership in international
5	multilateral organizations, pursuant to treaties ratified
6	pursuant to the advice and consent of the Senate, conven-
7	tions, or specific Acts of Congress, \$1,264,030,000: Pro-
8	vided, That the Secretary of State shall, at the time of
9	the submission of the President's budget to Congress
10	under section 1105(a) of title 31, United States Code,
11	transmit to the Committees on Appropriations the most
12	recent biennial budget prepared by the United Nations for
13	the operations of the United Nations: Provided further,
14	That the Secretary of State shall notify the Committees
15	on Appropriations at least 15 days in advance (or in an
16	emergency, as far in advance as is practicable) of any
17	United Nations action to increase funding for any United
18	Nations program without identifying an offsetting de-
19	crease elsewhere in the United Nations budget: Provided
20	further, That not later than May 1, 2019, and 30 days
21	after the end of fiscal year 2019, the Secretary of State
22	shall report to the Committees on Appropriations any
23	credits attributable to the United States, including from
24	the United Nations Tax Equalization Fund, and provide
25	updated fiscal year 2019 and fiscal year 2020 assessment



1	costs including offsets from available credits and updated
2	foreign currency exchange rates: Provided further, That
3	any such credits shall only be available for United States
4	assessed contributions to the United Nations regular
5	budget, and the Committees on Appropriations shall be
6	notified when such credits are applied to any assessed con-
7	tribution, including any payment of arrearages: Provided
8	further, That any notification regarding funds appro-
9	priated or otherwise made available under this heading in
10	this Act or prior Acts making appropriations for the De-
11	partment of State, foreign operations, and related pro-
12	grams submitted pursuant to section 7015 of this Act, sec-
13	tion 34 of the State Department Basic Authorities Act
14	of 1956 (22 U.S.C. 2706), or any operating plan sub-
15	mitted pursuant to section 7070 of this Act, shall include
16	an estimate of all known credits currently attributable to
17	the United States and provide updated assessment costs
18	including offsets from available credits and updated for-
19	eign currency exchange rates: Provided further, That any
20	payment of arrearages under this heading shall be directed
21	to activities that are mutually agreed upon by the United
22	States and the respective international organization and
23	shall be subject to the regular notification procedures of
24	the Committees on Appropriations: Provided further, That
25	none of the funds appropriated under this heading shall



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- 2 national organization for the United States share of inter-
- 3 est costs made known to the United States Government
- 4 by such organization for loans incurred on or after Octo-
- 5 ber 1, 1984, through external borrowings.
- 6 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
- 7 ACTIVITIES
- 8 For necessary expenses to pay assessed and other ex-
- 9 penses of international peacekeeping activities directed to
- 10 the maintenance or restoration of international peace and
- 11 security, \$562,344,000, of which 15 percent shall remain
- 12 available until September 30, 2020: Provided, That none
- 13 of the funds made available by this Act shall be obligated
- 14 or expended for any new or expanded United Nations
- 15 peacekeeping mission unless, at least 15 days in advance
- 16 of voting for such mission in the United Nations Security
- 17 Council (or in an emergency as far in advance as is prac-
- 18 ticable), the Committees on Appropriations are notified of:
- 19 (1) the estimated cost and duration of the mission, the
- 20 objectives of the mission, the national interest that will
- 21 be served, and the exit strategy; and (2) the sources of
- 22 funds, including any reprogrammings or transfers, that
- 23 will be used to pay the cost of the new or expanded mis-
- 24 sion, and the estimated cost in future fiscal years: Pro-
- 25 vided further, That none of the funds appropriated under



1	this heading may be made available for obligation unless
2	the Secretary of State certifies and reports to the Commit-
3	tees on Appropriations on a peacekeeping mission-by-mis-
4	sion basis that the United Nations is implementing effec-
5	tive policies and procedures to prevent United Nations em-
6	ployees, contractor personnel, and peacekeeping troops
7	serving in such mission from trafficking in persons, ex-
8	ploiting victims of trafficking, or committing acts of sexual
9	exploitation and abuse or other violations of human rights,
10	and to hold accountable individuals who engage in such
11	acts while participating in such mission, including pros-
12	ecution in their home countries and making information
13	about such prosecutions publicly available on the website
14	of the United Nations: Provided further, That the Sec-
15	retary of State shall work with the United Nations and
16	foreign governments contributing peacekeeping troops to
17	implement effective vetting procedures to ensure that such
18	troops have not violated human rights: $Provided\ further,$
19	That funds shall be available for peacekeeping expenses
20	unless the Secretary of State determines that United
21	States manufacturers and suppliers are not being given
22	opportunities to provide equipment, services, and material
23	for United Nations peacekeeping activities equal to those
24	being given to foreign manufacturers and suppliers: $Pro-$
25	vided further, That none of the funds appropriated or oth-



1	erwise made available under this heading may be used for
2	any United Nations peacekeeping mission that will involve
3	United States Armed Forces under the command or oper-
4	ational control of a foreign national, unless the President's
5	military advisors have submitted to the President a rec-
6	ommendation that such involvement is in the national in-
7	terest of the United States and the President has sub-
8	mitted to Congress such a recommendation: Provided fur-
9	ther, That not later than May 1, 2019, and 30 days after
10	the end of fiscal year 2019, the Secretary of State shall
11	report to the Committees on Appropriations any credits
12	attributable to the United States, including those resulting
13	from United Nations peacekeeping missions or the United
14	Nations Tax Equalization Fund, and provide updated fis-
15	cal year 2019 and fiscal year 2020 assessment costs in-
16	cluding offsets from available credits: $Provided\ further,$
17	That any such credits shall only be available for United
18	States assessed contributions to United Nations peace-
19	keeping missions, and the Committees on Appropriations
20	shall be notified when such credits are applied to any as-
21	sessed contribution, including any payment of arrearages:
22	Provided further, That any notification regarding funds
23	appropriated or otherwise made available under this head-
24	ing in this Act or prior Acts making appropriations for
25	the Department of State, foreign operations, and related



1	programs	submitted	pursuant	to	section	7015	of	this	Act,

- 2 section 34 of the State Department Basic Authorities Act
- 3 of 1956 (22 U.S.C. 2706), or any operating plan sub-
- 4 mitted pursuant to section 7070 of this Act, shall include
- 5 an estimate of all known credits currently attributable to
- 6 the United States and provide updated assessment costs,
- 7 including offsets from available credits: Provided further,
- 8 That any payment of arrearages with funds appropriated
- 9 by this Act shall be subject to the regular notification pro-
- 10 cedures of the Committees on Appropriations: Provided
- 11 further, That the Secretary of State shall work with the
- 12 United Nations and members of the United Nations Secu-
- 13 rity Council to evaluate and prioritize peacekeeping mis-
- 14 sions, and to consider a draw down when mission goals
- 15 have been substantially achieved.
- 16 International Commissions
- 17 For necessary expenses, not otherwise provided for,
- 18 to meet obligations of the United States arising under
- 19 treaties, or specific Acts of Congress, as follows:
- 20 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
- 21 UNITED STATES AND MEXICO
- For necessary expenses for the United States Section
- 23 of the International Boundary and Water Commission,
- 24 United States and Mexico, and to comply with laws appli-



1	cable to	the	United	States	Section,	including	not	to	exceed
-	CCIOIC CO		C	Ceceon					011000

- 2 \$6,000 for representation expenses; as follows:
- 3 SALARIES AND EXPENSES
- 4 For salaries and expenses, not otherwise provided for,
- 5 \$48,134,000.
- 6 CONSTRUCTION
- 7 For detailed plan preparation and construction of au-
- 8 thorized projects, \$29,400,000, to remain available until
- 9 expended, as authorized.
- 10 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS
- 11 For necessary expenses, not otherwise provided, for
- 12 the International Joint Commission and the International
- 13 Boundary Commission, United States and Canada, as au-
- 14 thorized by treaties between the United States and Can-
- 15 ada or Great Britain, and the Border Environment Co-
- 16 operation Commission as authorized by the North Amer-
- 17 ican Free Trade Agreement Implementation Act (Public
- 18 Law 103–182), \$13,258,000: Provided, That of the
- 19 amount provided under this heading for the International
- 20 Joint Commission, up to \$500,000 may remain available
- 21 until September 30, 2020, and \$9,000 may be made avail-
- 22 able for representation expenses: Provided further, That
- 23 of the amount provided under this heading for the Inter-
- 24 national Boundary Commission, \$1,000 may be made
- 25 available for representation expenses.



1	INTERNATIONAL FISHERIES COMMISSIONS
2	For necessary expenses for international fisheries
3	commissions, not otherwise provided for, as authorized by
4	law, \$50,651,000: Provided, That the United States share
5	of such expenses may be advanced to the respective com-
6	missions pursuant to section 3324 of title 31, United
7	States Code.
8	RELATED AGENCY
9	Broadcasting Board of Governors
10	INTERNATIONAL BROADCASTING OPERATIONS
11	For necessary expenses to enable the Broadcasting
12	Board of Governors (BBG), as authorized, to carry out
13	international communication activities, and to make and
14	supervise grants for radio, Internet, and television broad-
15	casting to the Middle East, \$798,196,000: $Provided$, That
16	in addition to amounts otherwise available for such pur-
17	poses, up to $$34,508,000$ of the amount appropriated
18	under this heading may remain available until expended
19	for satellite transmissions and Internet freedom programs, $$
20	of which not less than $$13,800,000$ shall be for Internet
21	freedom programs: $Provided\ further,\ That\ of\ the\ total$
22	amount appropriated under this heading, not to exceed
23	\$35,000 may be used for representation expenses, of
24	which $$10,000$ may be used for such expenses within the
25	United States as authorized, and not to exceed \$30,000



1	may be used for representation expenses of Radio Free
2	Europe/Radio Liberty: Provided further, That the BBG
3	shall notify the Committees on Appropriations within 15
4	days of any determination by the BBG that any of its
5	broadcast entities, including its grantee organizations,
6	provides an open platform for international terrorists or
7	those who support international terrorism, or is in viola-
8	tion of the principles and standards set forth in sub-
9	sections (a) and (b) of section 303 of the United States
10	International Broadcasting Act of 1994 (22 U.S.C. 6202)
11	or the entity's journalistic code of ethics: $Provided\ further,$
12	That significant modifications to BBG broadcast hours
13	previously justified to Congress, including changes to
14	transmission platforms (shortwave, medium wave, sat-
15	ellite, Internet, and television), for all BBG language serv-
16	ices shall be subject to the regular notification procedures
17	of the Committees on Appropriations: $Provided\ further,$
18	That in addition to funds made available under this head-
19	ing, and notwithstanding any other provision of law, up
20	to $$5,000,000$ in receipts from advertising and revenue
21	from business ventures, up to \$500,000 in receipts from
22	cooperating international organizations, and up to
23	\$1,000,000 in receipts from privatization efforts of the
24	Voice of America and the International Broadcasting Bu-



1	reau, shall remain available until expended for carrying
2	out authorized purposes.
3	BROADCASTING CAPITAL IMPROVEMENTS
4	For the purchase, rent, construction, repair, preser-
5	vation, and improvement of facilities for radio, television
6	and digital transmission and reception; the purchase, rent
7	and installation of necessary equipment for radio, tele-
8	vision, and digital transmission and reception, including
9	to Cuba, as authorized; and physical security worldwide
10	in addition to amounts otherwise available for such pur-
11	poses, \$9,700,000, to remain available until expended, as
12	authorized.
13	RELATED PROGRAMS
14	THE ASIA FOUNDATION
15	For a grant to The Asia Foundation, as authorized
16	by The Asia Foundation Act (22 U.S.C. 4402)
17	\$17,000,000, to remain available until expended: $Pro-$
18	vided, That funds appropriated under this heading shall
19	be apportioned and obligated to the Foundation not later
20	than 60 days after enactment of this Act.
21	UNITED STATES INSTITUTE OF PEACE
22	For necessary expenses of the United States Institute
23	of Peace, as authorized by the United States Institute of



24 Peace Act (22 U.S.C. 4601 et seq.), \$38,634,000, to re-

1	main available	until	September	30, 2020,	which	shall	not

- 2 be used for construction activities.
- 3 Center for Middle Eastern-Western Dialogue
- 4 Trust Fund
- 5 For necessary expenses of the Center for Middle
- 6 Eastern-Western Dialogue Trust Fund, as authorized by
- 7 section 633 of the Departments of Commerce, Justice, and
- 8 State, the Judiciary, and Related Agencies Appropriations
- 9 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
- 10 est and earnings accruing to such Fund on or before Sep-
- 11 tember 30, 2019, to remain available until expended.
- 12 Eisenhower Exchange Fellowship Program
- For necessary expenses of Eisenhower Exchange Fel-
- 14 lowships, Incorporated, as authorized by sections 4 and
- 15 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
- 16 U.S.C. 5204-5205), all interest and earnings accruing to
- 17 the Eisenhower Exchange Fellowship Program Trust
- 18 Fund on or before September 30, 2019, to remain avail-
- 19 able until expended: *Provided*, That none of the funds ap-
- 20 propriated herein shall be used to pay any salary or other
- 21 compensation, or to enter into any contract providing for
- 22 the payment thereof, in excess of the rate authorized by
- 23 section 5376 of title 5, United States Code; or for pur-
- 24 poses which are not in accordance with section 200 of title



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1	2	of	the	Code	OI	F'ederal	Regulations,	including	the	re-

- 2 strictions on compensation for personal services.
- 3 ISRAELI ARAB SCHOLARSHIP PROGRAM
- 4 For necessary expenses of the Israeli Arab Scholar-
- 5 ship Program, as authorized by section 214 of the Foreign
- 6 Relations Authorization Act, Fiscal Years 1992 and 1993
- 7 (22 U.S.C. 2452 note), all interest and earnings accruing
- 8 to the Israeli Arab Scholarship Fund on or before Sep-
- 9 tember 30, 2019, to remain available until expended.
- 10 East-West Center
- To enable the Secretary of State to provide for car-
- 12 rying out the provisions of the Center for Cultural and
- 13 Technical Interchange Between East and West Act of
- 14 1960, by grant to the Center for Cultural and Technical
- 15 Interchange Between East and West in the State of Ha-
- 16 waii, \$16,700,000: Provided, That funds appropriated
- 17 under this heading shall be apportioned and obligated to
- 18 the Center not later than 60 days after enactment of this
- 19 Act.
- 20 National Endowment for Democracy
- 21 For grants made by the Department of State to the
- 22 National Endowment for Democracy, as authorized by the
- 23 National Endowment for Democracy Act (22 U.S.C.
- 24 4412), \$180,000,000, to remain available until expended,
- 25 of which \$117,500,000 shall be allocated in the traditional



1	and customary manner, including for the core institutes,
2	and $$62,500,000$ shall be for democracy programs: $Pro-$
3	vided, That the requirements of section 7070(a) of this
4	Act shall not apply to funds made available under this
5	heading: Provided further, That funds appropriated under
6	this heading shall be apportioned and obligated to the En-
7	downent not later than 60 days after enactment of this
8	Act.
9	OTHER COMMISSIONS
10	Commission for the Preservation of America's
11	HERITAGE ABROAD
12	SALARIES AND EXPENSES
13	For necessary expenses for the Commission for the
14	Preservation of America's Heritage Abroad, \$675,000, as
15	authorized by chapter 3123 of title 54, United States
16	Code: Provided, That the Commission may procure tem-
17	porary, intermittent, and other services notwithstanding
18	paragraph (3) of section $312304(b)$ of such chapter: Pro-
19	vided further, That such authority shall terminate on Oc-
20	tober 1, 2019: Provided further, That the Commission
21	shall notify the Committees on Appropriations prior to ex-
22	ercising such authority.



1	UNITED STATES COMMISSION ON INTERNATIONAL
2	Religious Freedom
3	SALARIES AND EXPENSES
4	For necessary expenses for the United States Com-
5	mission on International Religious Freedom (USCIRF),
6	as authorized by title II of the International Religious
7	Freedom Act of 1998 (22 U.S.C. 6431 et seq.),
8	\$4,500,000, to remain available until September 30, 2020,
9	including not more than \$4,000 for representation ex-
10	penses: Provided, That prior to the obligation of
11	\$1,000,000 of the funds appropriated under this heading,
12	the Commission shall consult with the appropriate con-
13	gressional committees on the steps taken to implement the
14	recommendations of the Independent Review of USCIRF
15	Mission Effectiveness that was conducted pursuant to the
16	United States Commission on International Religious
17	Freedom Reauthorization Act of 2015 (Public Law 114–
18	71), and such funds shall be subject to the regular notifi-
19	cation procedures of the Committees on Appropriations.
20	Commission on Security and Cooperation in
21	EUROPE
22	SALARIES AND EXPENSES
23	For necessary expenses of the Commission on Secu-
24	rity and Cooperation in Europe, as authorized by Public
25	Law 94_304 (22 U.S.C. 3001 et seg.) \$2.579,000 includ-



1	ing not more than \$4,000 for representation expenses, to
2	remain available until September 30, 2020.
3	CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
4	PEOPLE'S REPUBLIC OF CHINA
5	SALARIES AND EXPENSES
6	For necessary expenses of the Congressional-Execu-
7	tive Commission on the People's Republic of China, as au-
8	thorized by title III of the U.SChina Relations Act of
9	2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not
10	more than \$3,000 for representation expenses, to remain
11	available until September 30, 2020.
12	UNITED STATES-CHINA ECONOMIC AND SECURITY
13	REVIEW COMMISSION
14	SALARIES AND EXPENSES
15	For necessary expenses of the United States-China
16	Economic and Security Review Commission, as authorized
17	by section 1238 of the Floyd D. Spence National Defense
18	Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002)
19	\$3,500,000, including not more than \$4,000 for represen-
20	tation expenses, to remain available until September 30
21	2020: Provided, That the authorities, requirements, limi-
22	tations, and conditions contained in the second through
23	sixth provisos under this heading in the Department of
24	State, Foreign Operations, and Related Programs Appro-
25	printing Act 2010 (division F of Public Law 111 117)



- 1 shall continue in effect during fiscal year 2019 and shall
- 2 apply to funds appropriated under this heading as if in-
- 3 cluded in this Act.
- 4 Western Hemisphere Drug Policy Commission
- 5 SALARIES AND EXPENSES
- 6 For necessary expenses of the Western Hemisphere
- 7 Drug Policy Commission, as authorized by title VI of the
- 8 Department of State Authorities Act, Fiscal Year 2017
- 9 (Public Law 114–323), \$1,500,000 to remain available
- 10 until September 30, 2020.

1	TITLE II
2	UNITED STATES AGENCY FOR INTERNATIONAL
3	DEVELOPMENT
4	Funds Appropriated to the President
5	OPERATING EXPENSES
6	For necessary expenses to carry out the provisions
7	of section 667 of the Foreign Assistance Act of 1961
8	\$1,214,808,000, of which up to \$182,221,000 may remain
9	available until September 30, 2020: Provided, That none
10	of the funds appropriated under this heading and under
11	the heading "Capital Investment Fund" in this title may
12	be made available to finance the construction (including
13	architect and engineering services), purchase, or long-term
14	lease of offices for use by the United States Agency for
15	International Development, unless the USAID Adminis-
16	trator has identified such proposed use of funds in a re-
17	port submitted to the Committees on Appropriations at
18	least 15 days prior to the obligation of funds for such pur-
19	poses: Provided further, That contracts or agreements en-
20	tered into with funds appropriated under this heading may
21	entail commitments for the expenditure of such funds
22	through the following fiscal year: Provided further, That
23	the authority of sections 610 and 109 of the Foreign As-
24	sistance Act of 1961 may be exercised by the Secretary
25	of State to transfer funds appropriated to carry out chap-



- 1 ter 1 of part I of such Act to "Operating Expenses" in
- 2 accordance with the provisions of those sections: *Provided*
- 3 further, That of the funds appropriated or made available
- 4 under this heading, not to exceed \$250,000 may be avail-
- 5 able for representation and entertainment expenses, of
- 6 which not to exceed \$5,000 may be available for entertain-
- 7 ment expenses, and not to exceed \$100,500 shall be for
- 8 official residence expenses, for USAID during the current
- 9 fiscal year.

10 CAPITAL INVESTMENT FUND

- 11 For necessary expenses for overseas construction and
- 12 related costs, and for the procurement and enhancement
- 13 of information technology and related capital investments,
- 14 pursuant to section 667 of the Foreign Assistance Act of
- 15 1961, \$225,000,000, to remain available until expended:
- 16 Provided, That this amount is in addition to funds other-
- 17 wise available for such purposes: Provided further, That
- 18 funds appropriated under this heading shall be available
- 19 subject to the regular notification procedures of the Com-
- 20 mittees on Appropriations.
- 21 OFFICE OF INSPECTOR GENERAL
- 22 For necessary expenses to carry out the provisions
- 23 of section 667 of the Foreign Assistance Act of 1961,
- 24 \$76,600,000, of which up to \$11,490,000 may remain
- 25 available until September 30, 2020, for the Office of In-



- 1 spector General of the United States Agency for Inter-
- 2 national Development.



1	TITLE III
2	BILATERAL ECONOMIC ASSISTANCE
3	Funds Appropriated to the President
4	For necessary expenses to enable the President to
5	carry out the provisions of the Foreign Assistance Act of
6	1961, and for other purposes, as follows:
7	GLOBAL HEALTH PROGRAMS
8	For necessary expenses to carry out the provisions
9	of chapters 1 and 10 of part I of the Foreign Assistance
10	Act of 1961, for global health activities, in addition to
11	funds otherwise available for such purposes,
12	\$3,117,450,000, to remain available until September 30,
13	2020, and which shall be apportioned directly to the
14	United States Agency for International Development: $Pro-$
15	vided, That this amount shall be made available for train-
16	ing, equipment, and technical assistance to build the ca-
17	pacity of public health institutions and organizations in
18	developing countries, and for such activities as: (1) child
19	survival and maternal health programs; (2) immunization
20	and oral rehydration programs; (3) other health, nutrition,
21	water and sanitation programs which directly address the
22	needs of mothers and children, and related education pro-
23	grams; (4) assistance for children displaced or orphaned
24	by causes other than AIDS; (5) programs for the preven-
25	tion, treatment, control of, and research on HIV/AIDS,



1	tuberculosis, polio, malaria, and other infectious diseases
2	including neglected tropical diseases, and for assistance to
3	communities severely affected by HIV/AIDS, including
4	children infected or affected by AIDS; (6) disaster pre-
5	paredness training for health crises; (7) programs to pre-
6	vent, prepare for, and respond to, unanticipated and
7	emerging global health threats; and (8) family planning
8	reproductive health: Provided further, That funds appro-
9	priated under this paragraph may be made available for
10	a United States contribution to the GAVI Alliance: Pro-
11	vided further, That none of the funds made available in
12	this Act nor any unobligated balances from prior appro-
13	priations Acts may be made available to any organization
14	or program which, as determined by the President of the
15	United States, supports or participates in the manage-
16	ment of a program of coercive abortion or involuntary
17	sterilization: Provided further, That any determination
18	made under the previous proviso must be made not later
19	than 6 months after the date of enactment of this Act,
20	and must be accompanied by the evidence and criteria uti-
21	lized to make the determination: Provided further, That
22	none of the funds made available under this Act may be
23	used to pay for the performance of abortion as a method
24	of family planning or to motivate or coerce any person
25	to practice abortions. Provided further That nothing in



1	this paragraph shall be construed to alter any existing
2	statutory prohibitions against abortion under section 104
3	of the Foreign Assistance Act of 1961: Provided further
4	That none of the funds made available under this Act may
5	be used to lobby for or against abortion: Provided further
6	That in order to reduce reliance on abortion in developing
7	nations, funds shall be available only to voluntary family
8	planning projects which offer, either directly or through
9	referral to, or information about access to, a broad range
10	of family planning methods and services, and that any
11	such voluntary family planning project shall meet the fol-
12	lowing requirements: (1) service providers or referra
13	agents in the project shall not implement or be subject
14	to quotas, or other numerical targets, of total number of
15	births, number of family planning acceptors, or acceptors
16	of a particular method of family planning (this provision
17	shall not be construed to include the use of quantitative
18	estimates or indicators for budgeting and planning pur-
19	poses); (2) the project shall not include payment of incen-
20	tives, bribes, gratuities, or financial reward to: (A) an indi-
21	vidual in exchange for becoming a family planning accep-
22	tor; or (B) program personnel for achieving a numerical
23	target or quota of total number of births, number of fam-
24	ily planning acceptors, or acceptors of a particular method
25	of family planning: (3) the project shall not deny any right



1	or benefit, including the right of access to participate in
2	any program of general welfare or the right of access to
3	health care, as a consequence of any individual's decision
4	not to accept family planning services; (4) the project shall
5	provide family planning acceptors comprehensible infor-
6	mation on the health benefits and risks of the method cho-
7	sen, including those conditions that might render the use
8	of the method inadvisable and those adverse side effects
9	known to be consequent to the use of the method; and
10	(5) the project shall ensure that experimental contracep-
11	tive drugs and devices and medical procedures are pro-
12	vided only in the context of a scientific study in which
13	participants are advised of potential risks and benefits;
14	and, not less than 60 days after the date on which the
15	USAID Administrator determines that there has been a
16	violation of the requirements contained in paragraph (1),
17	(2), (3), or (5) of this proviso, or a pattern or practice
18	of violations of the requirements contained in paragraph
19	(4) of this proviso, the Administrator shall submit to the
20	Committees on Appropriations a report containing a de-
21	scription of such violation and the corrective action taken
22	by the Agency: Provided further, That in awarding grants
23	for natural family planning under section 104 of the For-
24	eign Assistance Act of 1961 no applicant shall be discrimi-
25	nated against because of such applicant's religious or con-



- 1 scientious commitment to offer only natural family plan-
- 2 ning; and, additionally, all such applicants shall comply
- 3 with the requirements of the previous proviso: Provided
- 4 further, That for purposes of this or any other Act author-
- 5 izing or appropriating funds for the Department of State,
- 6 foreign operations, and related programs, the term "moti-
- 7 vate", as it relates to family planning assistance, shall not
- 8 be construed to prohibit the provision, consistent with
- 9 local law, of information or counseling about all pregnancy
- 10 options: Provided further, That information provided
- 11 about the use of condoms as part of projects or activities
- 12 that are funded from amounts appropriated by this Act
- 13 shall be medically accurate and shall include the public
- 14 health benefits and failure rates of such use.
- In addition, for necessary expenses to carry out the
- 16 provisions of the Foreign Assistance Act of 1961 for the
- 17 prevention, treatment, and control of, and research on,
- 18 HIV/AIDS, \$5,720,000,000, to remain available until
- 19 September 30, 2023, which shall be apportioned directly
- 20 to the Department of State: Provided, That funds appro-
- 21 priated under this paragraph may be made available, not-
- 22 withstanding any other provision of law, except for the
- 23 United States Leadership Against HIV/AIDS, Tuber-
- 24 culosis, and Malaria Act of 2003 (Public Law 108-25),
- 25 for a United States contribution to the Global Fund to



- 1 Fight AIDS, Tuberculosis and Malaria (Global Fund),
- 2 and shall be expended at the minimum rate necessary to
- 3 make timely payment for projects and activities: *Provided*
- 4 further, That the amount of such contribution should be
- 5 \$1,350,000,000: Provided further, That clauses (i) and
- 6 (vi) of section 202(d)(4)(A) of the United States Leader-
- 7 ship Against HIV/AIDS, Tuberculosis, and Malaria Act
- 8 of 2003 (22 U.S.C. 7622) shall be applied with respect
- 9 to such funds made available for fiscal years 2015 through
- 10 2019 by substituting "2004" for "2009": Provided fur-
- 11 ther, That up to 5 percent of the aggregate amount of
- 12 funds made available to the Global Fund in fiscal year
- 13 2019 may be made available to USAID for technical as-
- 14 sistance related to the activities of the Global Fund, sub-
- 15 ject to the regular notification procedures of the Commit-
- 16 tees on Appropriations: Provided further, That of the
- 17 funds appropriated under this paragraph, up to
- 18 \$17,000,000 may be made available, in addition to
- 19 amounts otherwise available for such purposes, for admin-
- 20 istrative expenses of the Office of the United States Global
- 21 AIDS Coordinator.
- 22 DEVELOPMENT ASSISTANCE
- For necessary expenses to carry out the provisions
- 24 of sections 103, 105, 106, 214, and sections 251 through
- 25 255, and chapter 10 of part I of the Foreign Assistance

1	Act	of	1961.	\$3.000	.000.	000.	to	remain	available	until
-			,	40,000	, ,	000,			ce i cerreiore	

- 2 September 30, 2020.
- 3 INTERNATIONAL DISASTER ASSISTANCE
- 4 For necessary expenses to carry out the provisions
- 5 of section 491 of the Foreign Assistance Act of 1961 for
- 6 international disaster relief, rehabilitation, and recon-
- 7 struction assistance, \$3,801,034,000, to remain available
- 8 until expended: Provided, That such funds shall be appor-
- 9 tioned to the United States Agency for International De-
- 10 velopment not later than 60 days after enactment of this
- 11 Act.
- 12 TRANSITION INITIATIVES
- For necessary expenses for international disaster re-
- 14 habilitation and reconstruction assistance administered by
- 15 the Office of Transition Initiatives, United States Agency
- 16 for International Development, pursuant to section 491 of
- 17 the Foreign Assistance Act of 1961, \$30,000,000, to re-
- 18 main available until expended, to support transition to de-
- 19 mocracy and long-term development of countries in crisis:
- 20 Provided, That such support may include assistance to de-
- 21 velop, strengthen, or preserve democratic institutions and
- 22 processes, revitalize basic infrastructure, and foster the
- 23 peaceful resolution of conflict: Provided further, That the
- 24 USAID Administrator shall submit a report to the Com-
- 25 mittees on Appropriations at least 5 days prior to begin-



- 1 ning a new program of assistance: Provided further, That
- 2 if the Secretary of State determines that it is important
- 3 to the national interest of the United States to provide
- 4 transition assistance in excess of the amount appropriated
- 5 under this heading, up to \$15,000,000 of the funds appro-
- 6 priated by this Act to carry out the provisions of part I
- 7 of the Foreign Assistance Act of 1961 may be used for
- 8 purposes of this heading and under the authorities appli-
- 9 cable to funds appropriated under this heading: Provided
- 10 further, That funds made available pursuant to the pre-
- 11 vious proviso shall be made available subject to prior con-
- 12 sultation with the Committees on Appropriations.
- 13 COMPLEX CRISES FUND
- 14 For necessary expenses to carry out the provisions
- 15 of the Foreign Assistance Act of 1961 to support pro-
- 16 grams and activities administered by the United States
- 17 Agency for International Development to prevent or re-
- 18 spond to emerging or unforeseen foreign challenges and
- 19 complex crises overseas, \$30,000,000, to remain available
- 20 until expended: Provided, That funds appropriated under
- 21 this heading may be made available on such terms and
- 22 conditions as are appropriate and necessary for the pur-
- 23 poses of preventing or responding to such challenges and
- 24 crises, except that no funds shall be made available for
- 25 lethal assistance or to respond to natural disasters: Pro-



1	vided	further,	That	funds	appro	priated	under	this	heading
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- 2 may be made available notwithstanding any other provi-
- 3 sion of law, except sections 7007, 7008, and 7018 of this
- 4 Act and section 620M of the Foreign Assistance Act of
- 5 1961: Provided further, That funds appropriated under
- 6 this heading may be used for administrative expenses, in
- 7 addition to funds otherwise available for such purposes,
- 8 except that such expenses may not exceed 5 percent of
- 9 the funds appropriated under this heading: Provided fur-
- 10 ther, That funds appropriated under this heading shall be
- 11 apportioned to USAID not later than 60 days after enact-
- 12 ment of this Act: Provided further, That funds appro-
- 13 priated under this heading shall be subject to the regular
- 14 notification procedures of the Committees on Appropria-
- 15 tions, except that such notifications shall be transmitted
- 16 at least 5 days prior to the obligation of funds.

17 DEVELOPMENT CREDIT AUTHORITY

- 18 For the cost of direct loans and loan guarantees pro-
- 19 vided by the United States Agency for International De-
- 20 velopment, as authorized by sections 256 and 635 of the
- 21 Foreign Assistance Act of 1961, up to \$55,000,000 may
- 22 be derived by transfer from funds appropriated by this Act
- 23 to carry out part I of such Act and under the heading
- 24 "Assistance for Europe, Eurasia and Central Asia": Pro-
- 25 vided, That funds provided under this paragraph and



1	funds provided as a gift that are used for purposes of this
2	paragraph pursuant to section 635(d) of the Foreign As-
3	sistance Act of 1961 shall be made available only for
4	micro- and small enterprise programs, urban programs,
5	and other programs which further the purposes of part
6	I of such Act: Provided further, That funds provided as
7	a gift that are used for purposes of this paragraph shall
8	be subject to prior consultation with, and the regular noti-
9	fication procedures of, the Committees on Appropriations:
10	Provided further, That such costs, including the cost of
11	modifying such direct and guaranteed loans, shall be as
12	defined in section 502 of the Congressional Budget Act
13	of 1974, as amended: $Provided\ further,$ That funds made
14	available by this paragraph may be used for the cost of
15	modifying any such guaranteed loans under this Act or
16	prior Acts making appropriations for the Department of
17	State, foreign operations, and related programs, and funds
18	used for such cost, including if the cost results in a nega-
19	tive subsidy, shall be subject to the regular notification
20	procedures of the Committees on Appropriations: Provided
21	further, That the provisions of section 107A(d) (relating
22	to general provisions applicable to the Development Credit
23	Authority) of the Foreign Assistance Act of 1961, as con-
24	tained in section 306 of H.R. 1486 as reported by the
25	House Committee on International Relations on May 9,



- 1 1997, shall be applicable to direct loans and loan guaran-
- 2 tees provided under this heading, except that the principal
- 3 amount of loans made or guaranteed under this heading
- 4 with respect to any single country shall not exceed
- 5 \$300,000,000: Provided further, That these funds are
- 6 available to subsidize total loan principal, any portion of
- 7 which is to be guaranteed, of up to \$1,750,000,000.
- 8 In addition, for administrative expenses to carry out
- 9 credit programs administered by USAID, \$10,000,000,
- 10 which may be transferred to, and merged with, funds
- 11 made available under the heading "Operating Expenses"
- 12 in title II of this Act: *Provided*, That funds made available
- 13 under this heading shall remain available until September
- 14 30, 2021: Provided further, That of the funds appro-
- 15 priated under this paragraph in this Act and prior Acts
- 16 making appropriations for the Department of State, for-
- 17 eign operations, and related programs for administrative
- 18 expenses to carry out credit programs administered by
- 19 USAID, up to \$1,000,000 may be made available for lim-
- 20 ited transition costs associated with the implementation
- 21 of section 1463 of the Better Utilization of Investments
- 22 Leading to Development (BUILD) Act of 2018 (division
- 23 F of Public Law 115–254): Provided further, That prior
- 24 to the initial obligation of funds made available for such
- 25 transition costs, the USAID Administrator shall submit



- 1 a spend plan to the Committees on Appropriations for the
- 2 use of such funds: Provided further, That funds made
- 3 available for such transition costs shall be subject to the
- 4 regular notification procedures of the Committees on Ap-
- 5 propriations, and may not be made available until the re-
- 6 organization plan required by section 1462(a) of the
- 7 BUILD Act of 2018 is transmitted to Congress.
- 8 ECONOMIC SUPPORT FUND
- 9 For necessary expenses to carry out the provisions
- 10 of chapter 4 of part II of the Foreign Assistance Act of
- 11 1961, \$2,545,525,000, to remain available until Sep-
- 12 tember 30, 2020.
- 13 DEMOCRACY FUND
- 14 For necessary expenses to carry out the provisions
- 15 of the Foreign Assistance Act of 1961 for the promotion
- 16 of democracy globally, including to carry out the purposes
- 17 of section 502(b)(3) and (5) of Public Law 98-164 (22)
- 18 U.S.C. 4411), \$157,700,000, to remain available until
- 19 September 30, 2020, which shall be made available for the
- 20 Human Rights and Democracy Fund of the Bureau of De-
- 21 mocracy, Human Rights, and Labor, Department of
- 22 State: Provided, That funds appropriated under this head-
- 23 ing that are made available to the National Endowment
- 24 for Democracy and its core institutes are in addition to
- 25 amounts otherwise available by this Act for such purposes:



- 1 Provided further, That the Assistant Secretary for Democ-
- 2 racy, Human Rights, and Labor, Department of State,
- 3 shall consult with the Committees on Appropriations prior
- 4 to the obligation of funds appropriated under this para-
- 5 graph.
- 6 For an additional amount for such purposes,
- 7 \$69,500,000, to remain available until September 30,
- 8 2020, which shall be made available for the Bureau for
- 9 Democracy, Conflict, and Humanitarian Assistance,
- 10 United States Agency for International Development.
- 11 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA
- 12 For necessary expenses to carry out the provisions
- 13 of the Foreign Assistance Act of 1961, the FREEDOM
- 14 Support Act (Public Law 102-511), and the Support for
- 15 Eastern European Democracy (SEED) Act of 1989 (Pub-
- 16 lie Law 101–179), \$760,334,000, to remain available until
- 17 September 30, 2020, which shall be available, notwith-
- 18 standing any other provision of law, except section 7047
- 19 of this Act, for assistance and related programs for coun-
- 20 tries identified in section 3 of Public Law 102–511 (22
- 21 U.S.C. 5801) and section 3(c) of Public Law 101–179 (22
- 22 U.S.C. 5402), in addition to funds otherwise available for
- 23 such purposes: *Provided*, That funds appropriated by this
- 24 Act under the headings "Global Health Programs", "Eco-
- 25 nomic Support Fund", and "International Narcotics Con-



1	trol and Law Enforcement" that are made available for
2	assistance for such countries shall be administered in ac-
3	cordance with the responsibilities of the coordinator des-
4	ignated pursuant to section 102 of Public Law $102-511$
5	and section 601 of Public Law 101–179: $Provided\ further,$
6	That funds appropriated under this heading shall be con-
7	sidered to be economic assistance under the Foreign As-
8	sistance Act of 1961 for purposes of making available the
9	administrative authorities contained in that Act for the
10	use of economic assistance: Provided further, That any no-
11	tification of funds made available under this heading in
12	this Act or prior Acts making appropriations for the De-
13	partment of State, foreign operations and related pro-
14	grams shall include information (if known on the date of
15	transmittal of such notification) on the use of notwith-
16	standing authority: Provided further, That if subsequent
17	to the notification of assistance it becomes necessary to
18	rely on notwithstanding authority, the Committees on Ap-
19	propriations should be informed at the earliest opportunity
20	and to the extent practicable.
21	DEPARTMENT OF STATE
22	MIGRATION AND REFUGEE ASSISTANCE
23	For necessary expenses not otherwise provided for,
24	to enable the Secretary of State to carry out the provisions
25	of section 2(a) and (b) of the Migration and Refugee As-



- 1 sistance Act of 1962, and other activities to meet refugee
- 2 and migration needs; salaries and expenses of personnel
- 3 and dependents as authorized by the Foreign Service Act
- 4 of 1980; allowances as authorized by sections 5921
- 5 through 5925 of title 5, United States Code; purchase and
- 6 hire of passenger motor vehicles; and services as author-
- 7 ized by section 3109 of title 5, United States Code,
- 8 \$2,027,876,000, to remain available until expended, of
- 9 which not less than \$35,000,000 shall be made available
- 10 to respond to small-scale emergency humanitarian require-
- 11 ments, and \$5,000,000 shall be made available for refu-
- 12 gees resettling in Israel.
- 13 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
- 14 ASSISTANCE FUND
- For necessary expenses to carry out the provisions
- 16 of section 2(c) of the Migration and Refugee Assistance
- 17 Act of 1962, as amended (22 U.S.C. 2601(e)),
- 18 \$1,000,000, to remain available until expended: Provided,
- 19 That amounts in excess of the limitation contained in
- 20 paragraph (2) of such section shall be transferred to, and
- 21 merged with, funds made available by this Act under the
- 22 heading "Migration and Refugee Assistance".

1	INDEPENDENT AGENCIES
2	PEACE CORPS
3	(INCLUDING TRANSFER OF FUNDS)
4	For necessary expenses to carry out the provisions
5	of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
6	the purchase of not to exceed five passenger motor vehicles
7	for administrative purposes for use outside of the United
8	States, \$410,500,000, of which \$6,000,000 is for the Of-
9	fice of Inspector General, to remain available until Sep-
10	tember 30, 2020: Provided, That the Director of the Peace
11	Corps may transfer to the Foreign Currency Fluctuations
12	Account, as authorized by section 16 of the Peace Corps
13	Act (22 U.S.C. 2515), an amount not to exceed
14	5,000,000: Provided further, That funds transferred pur-
15	suant to the previous proviso may not be derived from
16	amounts made available for Peace Corps overseas oper-
17	ations: Provided further, That of the funds appropriated
18	under this heading, not to exceed \$104,000 may be avail-
19	able for representation expenses, of which not to exceed
20	\$4,000 may be made available for entertainment expenses:
21	Provided further, That none of the funds appropriated
22	under this heading shall be used to pay for abortions: Pro-
23	vided further, That notwithstanding the previous proviso,
24	section 614 of division E of Public Law 113–76 shall
25	apply to funds appropriated under this heading.



1	MILLENNIUM CHALLENGE CORPORATION
2	For necessary expenses to carry out the provisions
3	of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
4	et seq.) (MCA), $\$905,000,000$, to remain available until
5	expended: $Provided$, That of the funds appropriated under
6	this heading, up to $$105,000,000$ may be available for ad-
7	ministrative expenses of the Millennium Challenge Cor-
8	poration: Provided further, That section 605(e) of the
9	MCA shall apply to funds appropriated under this head-
10	ing: Provided further, That funds appropriated under this
11	heading may be made available for a Millennium Challenge
12	Compact entered into pursuant to section 609 of the MCA
13	only if such Compact obligates, or contains a commitment
14	to obligate subject to the availability of funds and the mu-
15	tual agreement of the parties to the Compact to proceed,
16	the entire amount of the United States Government fund-
17	ing anticipated for the duration of the Compact: $Provided$
18	further, That no country should be eligible for a threshold
19	program after such country has completed a country com-
20	pact: Provided further, That any funds that are
21	deobligated from a Millennium Challenge Compact shall
22	be subject to the regular notification procedures of the
23	Committees on Appropriations prior to re-obligation: $Pro-$
24	vided further, That of the funds appropriated under this
25	heading, not to exceed \$100,000 may be available for rep-



- 1 resentation and entertainment expenses, of which not to
- 2 exceed \$5,000 may be available for entertainment ex-
- 3 penses.
- 4 INTER-AMERICAN FOUNDATION
- 5 For necessary expenses to carry out the functions of
- 6 the Inter-American Foundation in accordance with the
- 7 provisions of section 401 of the Foreign Assistance Act
- 8 of 1969, \$22,500,000, to remain available until September
- 9 30, 2020: Provided, That of the funds appropriated under
- 10 this heading, not to exceed \$2,000 may be available for
- 11 representation expenses.
- 12 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION
- For necessary expenses to carry out the African De-
- 14 velopment Foundation Act (title V of Public Law 96–533;
- 15 22 U.S.C. 290h et seq.), \$30,000,000, to remain available
- 16 until September 30, 2020, of which not to exceed \$2,000
- 17 may be available for representation expenses: Provided,
- 18 That funds made available to grantees may be invested
- 19 pending expenditure for project purposes when authorized
- 20 by the Board of Directors of the United States African
- 21 Development Foundation (USADF): Provided further,
- 22 That interest earned shall be used only for the purposes
- 23 for which the grant was made: Provided further, That not-
- 24 withstanding section 505(a)(2) of the African Develop-
- 25 ment Foundation Act (22 U.S.C. 290h-3(a)(2)), in excep-



1	tional	circumstances	the	Board	OT.	Directors	of	the

- 2 USADF may waive the \$250,000 limitation contained in
- 3 that section with respect to a project and a project may
- 4 exceed the limitation by up to 10 percent if the increase
- 5 is due solely to foreign currency fluctuation: Provided fur-
- 6 ther, That the USADF shall submit a report to the appro-
- 7 priate congressional committees after each time such waiv-
- 8 er authority is exercised: Provided further, That the
- 9 USADF may make rent or lease payments in advance
- 10 from appropriations available for such purpose for offices,
- 11 buildings, grounds, and quarters in Africa as may be nec-
- 12 essary to carry out its functions: Provided further, That
- 13 the USADF may maintain bank accounts outside the
- 14 United States Treasury and retain any interest earned on
- 15 such accounts, in furtherance of the purposes of the Afri-
- 16 can Development Foundation Act: Provided further, That
- 17 the USADF may not withdraw any appropriation from the
- 18 Treasury prior to the need of spending such funds for pro-
- 19 gram purposes.
- 20 Department of the Treasury
- 21 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE
- 22 For necessary expenses to carry out the provisions
- 23 of section 129 of the Foreign Assistance Act of 1961,
- 24 \$30,000,000, to remain available until expended, of which
- 25 not more than \$6,000,000 may be used for administrative



- 1 expenses: Provided, That amounts made available under
- 2 this heading may be made available to contract for services
- 3 as described in section 129(d)(3)(A) of the Foreign Assist-
- 4 ance Act of 1961, without regard to the location in which
- 5 such services are performed.



1	TITLE IV
2	INTERNATIONAL SECURITY ASSISTANCE
3	DEPARTMENT OF STATE
4	INTERNATIONAL NARCOTICS CONTROL AND LAW
5	ENFORCEMENT
6	For necessary expenses to carry out section 481 of
7	the Foreign Assistance Act of 1961, \$1,497,469,000, to
8	remain available until September 30, 2020: $Provided$,
9	That the Department of State may use the authority of
10	section 608 of the Foreign Assistance Act of 1961, with-
11	out regard to its restrictions, to receive excess property
12	from an agency of the United States Government for the
13	purpose of providing such property to a foreign country
14	or international organization under chapter 8 of part I of
15	such Act, subject to the regular notification procedures of
16	the Committees on Appropriations: $Provided\ further,\ That$
17	section 482(b) of the Foreign Assistance Act of 1961 shall
18	not apply to funds appropriated under this heading, except
19	that any funds made available notwithstanding such sec-
20	tion shall be subject to the regular notification procedures
21	of the Committees on Appropriations: Provided further,
22	That funds appropriated under this heading shall be made
23	available to support training and technical assistance for
24	foreign law enforcement, corrections, judges, and other ju-
25	dicial authorities, utilizing regional partners: Provided fur-



1 ther, That funds made available under this heading the	1	ther,	That	funds	made	available	under	this	heading	tha
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- 2 are transferred to another department, agency, or instru-
- 3 mentality of the United States Government pursuant to
- 4 section 632(b) of the Foreign Assistance Act of 1961 val-
- 5 ued in excess of \$5,000,000, and any agreement made
- 6 pursuant to section 632(a) of such Act, shall be subject
- 7 to the regular notification procedures of the Committees
- 8 on Appropriations.
- 9 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
- 10 RELATED PROGRAMS
- 11 For necessary expenses for nonproliferation, anti-ter-
- 12 rorism, demining and related programs and activities,
- 13 \$864,550,000, to remain available until September 30,
- 14 2020, to carry out the provisions of chapter 8 of part II
- 15 of the Foreign Assistance Act of 1961 for anti-terrorism
- 16 assistance, chapter 9 of part II of the Foreign Assistance
- 17 Act of 1961, section 504 of the FREEDOM Support Act,
- 18 section 23 of the Arms Export Control Act, or the Foreign
- 19 Assistance Act of 1961 for demining activities, the clear-
- 20 ance of unexploded ordnance, the destruction of small
- 21 arms, and related activities, notwithstanding any other
- 22 provision of law, including activities implemented through
- 23 nongovernmental and international organizations, and sec-
- 24 tion 301 of the Foreign Assistance Act of 1961 for a
- 25 United States contribution to the Comprehensive Nuclear



1	Test Ban Treaty Preparatory Commission, and for a vol-
2	untary contribution to the International Atomic Energy
3	Agency (IAEA): Provided, That funds made available
4	under this heading for the Nonproliferation and Disar-
5	mament Fund shall be made available, notwithstanding
6	any other provision of law and subject to prior consulta-
7	tion with, and the regular notification procedures of, the
8	Committees on Appropriations, to promote bilateral and
9	multilateral activities relating to nonproliferation, disar-
10	mament, and weapons destruction, and shall remain avail-
11	able until expended: Provided further, That such funds
12	may also be used for such countries other than the Inde-
13	pendent States of the former Soviet Union and inter-
14	national organizations when it is in the national security
15	interest of the United States to do so: Provided further,
16	That funds appropriated under this heading may be made
17	available for the IAEA unless the Secretary of State deter-
18	mines that Israel is being denied its right to participate
19	in the activities of that Agency: Provided further, That
20	funds made available for conventional weapons destruction
21	programs, including demining and related activities, in ad-
22	dition to funds otherwise available for such purposes, may
23	be used for administrative expenses related to the oper-
24	ation and management of such programs and activities,



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- 2 mittees on Appropriations.
- 3 Peacekeeping operations
- 4 For necessary expenses to carry out the provisions
- 5 of section 551 of the Foreign Assistance Act of 1961,
- 6 \$163,457,000: Provided, That funds appropriated under
- 7 this heading may be used, notwithstanding section 660 of
- 8 such Act, to provide assistance to enhance the capacity
- 9 of foreign civilian security forces, including gendarmes, to
- 10 participate in peacekeeping operations: Provided further,
- 11 That of the funds appropriated under this heading, not
- 12 less than \$31,000,000 shall be made available for a United
- 13 States contribution to the Multinational Force and Ob-
- 14 servers mission in the Sinai and not less than \$71,000,000
- 15 shall be made available for the Global Peace Operations
- 16 Initiative: Provided further, That none of the funds appro-
- 17 priated under this heading shall be obligated except as
- 18 provided through the regular notification procedures of the
- 19 Committees on Appropriations.
- 20 Funds Appropriated to the President
- 21 INTERNATIONAL MILITARY EDUCATION AND TRAINING
- 22 For necessary expenses to carry out the provisions
- 23 of section 541 of the Foreign Assistance Act of 1961,
- 24 \$110,778,000, of which up to \$11,000,000 may remain
- 25 available until September 30, 2020: Provided, That the



- 1 civilian personnel for whom military education and train-
- 2 ing may be provided under this heading may include civil-
- 3 ians who are not members of a government whose partici-
- 4 pation would contribute to improved civil-military rela-
- 5 tions, civilian control of the military, or respect for human
- 6 rights: Provided further, That of the funds appropriated
- 7 under this heading, not to exceed \$50,000 may be avail-
- 8 able for entertainment expenses.
- 9 FOREIGN MILITARY FINANCING PROGRAM
- For necessary expenses for grants to enable the
- 11 President to carry out the provisions of section 23 of the
- 12 Arms Export Control Act, \$5,962,241,000: *Provided*,
- 13 That to expedite the provision of assistance to foreign
- 14 countries and international organizations, the Secretary of
- 15 State, following consultation with the Committees on Ap-
- 16 propriations and subject to the regular notification proce-
- 17 dures of such Committees, may use the funds appro-
- 18 priated under this heading to procure defense articles and
- 19 services to enhance the capacity of foreign security forces:
- 20 Provided further, That of the funds appropriated under
- 21 this heading, not less than \$3,300,000,000 shall be avail-
- 22 able for grants only for Israel which shall be disbursed
- 23 within 30 days of enactment of this Act: Provided further,
- 24 That to the extent that the Government of Israel requests
- 25 that funds be used for such purposes, grants made avail-



- 1 able for Israel under this heading shall, as agreed by the
- 2 United States and Israel, be available for advanced weap-
- 3 ons systems, of which not less than \$815,300,000 shall
- 4 be available for the procurement in Israel of defense arti-
- 5 cles and defense services, including research and develop-
- 6 ment: Provided further, That funds appropriated or other-
- 7 wise made available under this heading shall be nonrepay-
- 8 able notwithstanding any requirement in section 23 of the
- 9 Arms Export Control Act: Provided further, That funds
- 10 made available under this heading shall be obligated upon
- 11 apportionment in accordance with paragraph (5)(C) of
- 12 section 1501(a) of title 31, United States Code.
- None of the funds made available under this heading
- 14 shall be available to finance the procurement of defense
- 15 articles, defense services, or design and construction serv-
- 16 ices that are not sold by the United States Government
- 17 under the Arms Export Control Act unless the foreign
- 18 country proposing to make such procurement has first
- 19 signed an agreement with the United States Government
- 20 specifying the conditions under which such procurement
- 21 may be financed with such funds: Provided, That all coun-
- 22 try and funding level increases in allocations shall be sub-
- 23 mitted through the regular notification procedures of sec-
- 24 tion 7015 of this Act: Provided further, That funds made
- 25 available under this heading may be used, notwithstanding



1	any other provision of law, for demining, the clearance of
2	unexploded ordnance, and related activities, and may in-
3	clude activities implemented through nongovernmental
4	and international organizations: Provided further, That
5	only those countries for which assistance was justified for
6	the "Foreign Military Sales Financing Program" in the
7	fiscal year 1989 congressional presentation for security as-
8	sistance programs may utilize funds made available under
9	this heading for procurement of defense articles, defense
10	services, or design and construction services that are not
11	sold by the United States Government under the Arms
12	Export Control Act: Provided further, That funds appro-
13	priated under this heading shall be expended at the min-
14	imum rate necessary to make timely payment for defense
15	articles and services: $Provided\ further,$ That not more than
16	\$75,000,000 of the funds appropriated under this heading
17	may be obligated for necessary expenses, including the
18	purchase of passenger motor vehicles for replacement only
19	for use outside of the United States, for the general costs
20	of administering military assistance and sales, except that
21	this limitation may be exceeded only through the regular
22	notification procedures of the Committees on Appropria-
23	tions: Provided further, That of the funds made available
24	under this heading for general costs of administering mili-
25	tary assistance and sales, not to exceed \$4,000 may be



- 1 available for entertainment expenses and not to exceed
- 2 \$130,000 may be available for representation expenses:
- 3 Provided further, That not more than \$1,009,700,000 of
- 4 funds realized pursuant to section 21(e)(1)(A) of the Arms
- 5 Export Control Act may be obligated for expenses incurred
- 6 by the Department of Defense during fiscal year 2019
- 7 pursuant to section 43(b) of the Arms Export Control Act,
- 8 except that this limitation may be exceeded only through
- 9 the regular notification procedures of the Committees on
- 10 Appropriations.



1	TITLE V
2	MULTILATERAL ASSISTANCE
3	Funds Appropriated to the President
4	INTERNATIONAL ORGANIZATIONS AND PROGRAMS
5	For necessary expenses to carry out the provisions
6	of section 301 of the Foreign Assistance Act of 1961,
7	\$339,000,000: Provided, That section $307(a)$ of the For-
8	eign Assistance Act of 1961 shall not apply to contribu-
9	tions to the United Nations Democracy Fund.
10	International Financial Institutions
11	GLOBAL ENVIRONMENT FACILITY
12	For payment to the International Bank for Recon-
13	struction and Development as trustee for the Global Envi-
14	ronment Facility by the Secretary of the Treasury,
15	\$139,575,000, to remain available until, and to be fully
16	disbursed no later than, September 30, 2020: $Provided$,
17	That of such amount, \$136,563,000, which shall remain
18	available until September 30, 2019, is only available for
19	the first installment of the seventh replenishment of the
20	Global Environment Facility, and shall be obligated and
21	disbursed not later than 90 days after enactment of this
22	Act: Provided further, That the Secretary shall report to
23	the Committees on Appropriations on the status of funds
24	provided under this heading not less than quarterly until
25	fully disbursed: Provided further, That in such report the



- 1 Secretary shall provide a timeline for the obligation and
- 2 disbursement of any funds that have not yet been obli-
- 3 gated or disbursed.
- 4 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
- 5 ASSOCIATION
- 6 For payment to the International Development Asso-
- 7 ciation by the Secretary of the Treasury, \$1,097,010,000,
- 8 to remain available until expended.
- 9 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND
- 10 For payment to the Asian Development Bank's Asian
- 11 Development Fund by the Secretary of the Treasury,
- 12 \$47,395,000, to remain available until expended.
- 13 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK
- 14 For payment to the African Development Bank by
- 15 the Secretary of the Treasury for the United States share
- 16 of the paid-in portion of the increase in capital stock,
- 17 \$32,417,159, to remain available until expended.
- 18 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS
- 19 The United States Governor of the African Develop-
- 20 ment Bank may subscribe without fiscal year limitation
- 21 to the callable capital portion of the United States share
- 22 of such capital stock in an amount not to exceed
- 23 \$507,860,806.



1	CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND
2	For payment to the African Development Fund by
3	the Secretary of the Treasury, \$171,300,000, to remain
4	available until expended.
5	CONTRIBUTION TO THE INTERNATIONAL FUND FOR
6	AGRICULTURAL DEVELOPMENT
7	For payment to the International Fund for Agricul-
8	tural Development by the Secretary of the Treasury,
9	\$30,000,000, to remain available until, and to be fully dis-
0	bursed no later than, September 30, 2020, for the first
1	installment of the eleventh replenishment of the Inter-
2	national Fund for Agricultural Development: Provided,
3	That the Secretary of the Treasury shall report to the
4	Committees on Appropriations on the status of such pay-
5	ment not less than quarterly until fully disbursed: Pro-
6	vided further, That in such report the Secretary shall pro-
7	vide a timeline for the obligation and disbursement of any
8	funds that have not yet been obligated or dishursed



1	TITLE VI
2	EXPORT AND INVESTMENT ASSISTANCE
3	EXPORT-IMPORT BANK OF THE UNITED STATES
4	INSPECTOR GENERAL
5	For necessary expenses of the Office of Inspector
6	General in carrying out the provisions of the Inspector
7	General Act of 1978, as amended, \$5,700,000, of which
8	up to \$855,000 may remain available until September 30,
9	2020.
10	PROGRAM ACCOUNT
11	The Export-Import Bank of the United States is au-
12	thorized to make such expenditures within the limits of
13	funds and borrowing authority available to such corpora-
14	tion, and in accordance with law, and to make such con-
15	tracts and commitments without regard to fiscal year limi-
16	tations, as provided by section 9104 of title 31, United
17	States Code, as may be necessary in carrying out the pro-
18	gram for the current fiscal year for such corporation: $Pro-$
19	vided, That none of the funds available during the current
20	fiscal year may be used to make expenditures, contracts,
21	or commitments for the export of nuclear equipment, fuel,
22	or technology to any country, other than a nuclear-weapon
23	state as defined in Article IX of the Treaty on the Non-
24	Proliferation of Nuclear Weapons eligible to receive eco-
25	nomic or military assistance under this Act, that has deto-



- 1 nated a nuclear explosive after the date of enactment of
- 2 this Act.
- 3 Administrative expenses
- 4 For administrative expenses to carry out the direct
- 5 and guaranteed loan and insurance programs, including
- 6 hire of passenger motor vehicles and services as authorized
- 7 by section 3109 of title 5, United States Code, and not
- 8 to exceed \$30,000 for official reception and representation
- 9 expenses for members of the Board of Directors, not to
- 10 exceed \$110,000,000, of which up to \$16,500,000 may re-
- 11 main available until September 30, 2020: Provided, That
- 12 the Export-Import Bank (the Bank) may accept, and use,
- 13 payment or services provided by transaction participants
- 14 for legal, financial, or technical services in connection with
- 15 any transaction for which an application for a loan, guar-
- 16 antee or insurance commitment has been made: Provided
- 17 further, That the Bank shall charge fees for necessary ex-
- 18 penses (including special services performed on a contract
- 19 or fee basis, but not including other personal services) in
- 20 connection with the collection of moneys owed the Bank,
- 21 repossession or sale of pledged collateral or other assets
- 22 acquired by the Bank in satisfaction of moneys owed the
- 23 Bank, or the investigation or appraisal of any property,
- 24 or the evaluation of the legal, financial, or technical as-
- 25 pects of any transaction for which an application for a



1	loan,	guarantee	or	insurance	commitment	has	been	made,
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- 2 or systems infrastructure directly supporting transactions:
- 3 Provided further, That in addition to other funds appro-
- 4 priated for administrative expenses, such fees shall be
- 5 credited to this account for such purposes, to remain avail-
- 6 able until expended.

7 RECEIPTS COLLECTED

- 8 Receipts collected pursuant to the Export-Import
- 9 Bank Act of 1945 (Public Law 79–173) and the Federal
- 10 Credit Reform Act of 1990, in an amount not to exceed
- 11 the amount appropriated herein, shall be credited as off-
- 12 setting collections to this account: Provided, That the
- 13 sums herein appropriated from the General Fund shall be
- 14 reduced on a dollar-for-dollar basis by such offsetting col-
- 15 lections so as to result in a final fiscal year appropriation
- 16 from the General Fund estimated at \$0.
- 17 Overseas Private Investment Corporation
- 18 NONCREDIT ACCOUNT
- 19 The Overseas Private Investment Corporation is au-
- 20 thorized to make, without regard to fiscal year limitations,
- 21 as provided by section 9104 of title 31, United States
- 22 Code, such expenditures and commitments within the lim-
- 23 its of funds available to it and in accordance with law as
- 24 may be necessary: Provided, That the amount available for
- 25 administrative expenses to carry out the credit and insur-



1	ance programs (including an amount for official reception
2	and representation expenses which shall not exceed
3	\$35,000) shall not exceed \$79,200,000: Provided further,
4	That project-specific transaction costs, including direct
5	and indirect costs incurred in claims settlements, and
6	other direct costs associated with services provided to spe-
7	cific investors or potential investors pursuant to section
8	234 of the Foreign Assistance Act of 1961, shall not be
9	considered administrative expenses for the purposes of this
10	heading: Provided further, That of the funds appropriated
11	under this heading in this Act and prior Acts making ap-
12	propriations for the Department of State, foreign oper-
13	ations, and related programs, up to \$5,000,000 may be
14	made available for limited transition costs associated with
15	the implementation of section 1463 of the Better Utiliza-
16	tion of Investments Leading to Development (BUILD)
17	Act of 2018 (division F of Public Law 115–254): Provided
18	further, That prior to the initial obligation of funds made
19	available for such transition costs, the President of the
20	Overseas Private Investment Corporation shall submit a
21	spend plan to the Committees on Appropriations for the
22	use of such funds: Provided further, That funds made
23	available for such transition costs shall be subject to the
24	regular notification procedures of the Committees on Ap-
25	propriations, and may not be made available until the re-



- 1 organization plan required by section 1462(a) of the
- 2 BUILD Act of 2018 is transmitted to Congress.
- 3 PROGRAM ACCOUNT
- 4 For the cost of direct and guaranteed loans as au-
- 5 thorized by section 234 of the Foreign Assistance Act of
- 6 1961, \$20,000,000, to be derived by transfer from the
- 7 Overseas Private Investment Corporation Noncredit Ac-
- 8 count, to remain available until September 30, 2021: Pro-
- 9 vided, That such costs, including the cost of modifying
- 10 such loans, shall be as defined in section 502 of the Con-
- 11 gressional Budget Act of 1974: Provided further, That
- 12 funds so obligated in fiscal year 2019 remain available for
- 13 disbursement through 2027; funds obligated in fiscal year
- 14 2020 remain available for disbursement through 2028;
- 15 and funds obligated in fiscal year 2021 remain available
- 16 for disbursement through 2029: Provided further, That
- 17 notwithstanding any other provision of law, the Overseas
- 18 Private Investment Corporation is authorized to undertake
- 19 any program authorized by title IV of chapter 2 of part
- 20 I of the Foreign Assistance Act of 1961 in Iraq: Provided
- 21 further, That funds made available pursuant to the au-
- 22 thority of the previous proviso shall be subject to the reg-
- 23 ular notification procedures of the Committees on Appro-
- 24 priations.



- 1 In addition, such sums as may be necessary for ad-
- 2 ministrative expenses to carry out the credit program may
- 3 be derived from amounts available for administrative ex-
- 4 penses to carry out the credit and insurance programs in
- 5 the Overseas Private Investment Corporation Noncredit
- 6 Account and merged with said account.
- 7 TRADE AND DEVELOPMENT AGENCY
- 8 For necessary expenses to carry out the provisions
- 9 of section 661 of the Foreign Assistance Act of 1961,
- 10 \$79,500,000, to remain available until September 30,
- 11 2020, of which no more than \$19,000,000 may be used
- 12 for administrative expenses: Provided, That of the funds
- 13 appropriated under this heading, not more than \$5,000
- 14 may be available for representation and entertainment ex-
- 15 penses.

1	TITLE VII
2	GENERAL PROVISIONS
3	ALLOWANCES AND DIFFERENTIALS
4	Sec. 7001. Funds appropriated under title I of this
5	Act shall be available, except as otherwise provided, for
6	allowances and differentials as authorized by subchapter
7	59 of title 5, United States Code; for services as author-
8	ized by section 3109 of such title and for hire of passenger
9	transportation pursuant to section 1343(b) of title 31,
10	United States Code.
11	UNOBLIGATED BALANCES REPORT
12	Sec. 7002. Any department or agency of the United
13	States Government to which funds are appropriated or
14	otherwise made available by this Act shall provide to the
15	Committees on Appropriations a quarterly accounting of
16	cumulative unobligated balances and obligated, but unex-
17	pended, balances by program, project, and activity, and
18	Treasury Account Fund Symbol of all funds received by
19	such department or agency in fiscal year 2019 or any pre-
20	vious fiscal year, disaggregated by fiscal year: $Provided$,
21	That the report required by this section shall be submitted
22	not later than 30 days after the end of each fiscal quarter
23	and should specify by account the amount of funds obli-
24	gated pursuant to bilateral agreements which have not
25	been further sub-obligated.



1	CONSULTING SERVICES
2	Sec. 7003. The expenditure of any appropriation
3	under title I of this Act for any consulting service through
4	procurement contract, pursuant to section 3109 of title
5	5, United States Code, shall be limited to those contracts
6	where such expenditures are a matter of public record and
7	available for public inspection, except where otherwise pro-
8	vided under existing law, or under existing Executive order
9	issued pursuant to existing law.
10	DIPLOMATIC FACILITIES
11	Sec. 7004. (a) Capital Security Cost Sharing
12	Information.—The Secretary of State shall promptly in-
13	form the Committees on Appropriations of each instance
14	in which a Federal department or agency is delinquent in
15	providing the full amount of funding required by section
16	604(e) of the Secure Embassy Construction and Counter-
17	terrorism Act of 1999 (22 U.S.C. 4865 note).
18	(b) Exception.—Notwithstanding paragraph (2) of
19	section 604(e) of the Secure Embassy Construction and
20	Counterterrorism Act of 1999 (title VI of division A of
21	H.R. 3427, as enacted into law by section 1000(a)(7) of
22	Public Law 106–113 and contained in appendix G of that
23	Act), as amended by section 111 of the Department of
24	State Authorities Act, Fiscal Year 2017 (Public Law 114–
25	323), a project to construct a facility of the United States



- 1 may include office space or other accommodations for
- 2 members of the United States Marine Corps.
- 3 (c) New Diplomatic Facilities.—For the pur-
- 4 poses of calculating the fiscal year 2019 costs of providing
- 5 new United States diplomatic facilities in accordance with
- 6 section 604(e) of the Secure Embassy Construction and
- 7 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
- 8 Secretary of State, in consultation with the Director of
- 9 the Office of Management and Budget, shall determine the
- 10 annual program level and agency shares in a manner that
- 11 is proportional to the contribution of the Department of
- 12 State for this purpose.
- 13 (d) Consultation and Notification.—Funds ap-
- 14 propriated by this Act and prior Acts making appropria-
- 15 tions for the Department of State, foreign operations, and
- 16 related programs, which may be made available for the
- 17 acquisition of property or award of construction contracts
- 18 for overseas United States diplomatic facilities during fis-
- 19 cal year 2019, shall be subject to prior consultation with,
- 20 and the regular notification procedures of, the Committees
- 21 on Appropriations: Provided, That notifications pursuant
- 22 to this subsection shall include the information enumer-
- 23 ated under the heading "Embassy Security, Construction,
- 24 and Maintenance" in House Report 115-829.



1	(e) Interim and Temporary Facilities
2	Abroad.—
3	(1) Security vulnerabilities.—Funds ap-
4	propriated by this Act under the heading "Embassy
5	Security, Construction, and Maintenance" may be
6	made available, following consultation with the ap-
7	propriate congressional committees, to address secu-
8	rity vulnerabilities at interim and temporary United
9	States diplomatic facilities abroad, including physical
10	security upgrades and local guard staffing, except
11	that the amount of funds made available for such
12	purposes from this Act and prior Acts making ap-
13	propriations for the Department of State, foreign
14	operations, and related programs shall be a min-
15	imum of \$25,000,000.
16	(2) Consultation.—Notwithstanding any
17	other provision of law, the opening, closure, or any
18	significant modification to an interim or temporary
19	United States diplomatic facility shall be subject to
20	prior consultation with the appropriate congressional
21	committees and the regular notification procedures
22	of the Committees on Appropriations, except that
23	such consultation and notification may be waived if
24	there is a security risk to personnel.



1	(f)	TRANSFER	OF	F'UNDS	AUTHORITY.—F	ands	ap-
÷	(1)	I HANSP EIG	Or	I UNDS	MOTHORITI.—T	anas	ap.

- 2 propriated under the headings "Diplomatic Programs",
- 3 including for Worldwide Security Protection, "Emer-
- 4 gencies in the Diplomatic and Consular Service", and
- 5 "Embassy Security, Construction, and Maintenance" in
- 6 this Act may be transferred to, and merged with, funds
- 7 appropriated under such headings if the Secretary of State
- 8 determines and reports to the Committees on Appropria-
- 9 tions that to do so is necessary to implement the rec-
- 10 ommendations of the Benghazi Accountability Review
- 11 Board, for emergency evacuations, or to prevent or re-
- 12 spond to security situations and requirements, following
- 13 consultation with, and subject to the regular notification
- 14 procedures of, such Committees: Provided, That such
- 15 transfer authority is in addition to any transfer authority
- 16 otherwise available in this Act and under any other provi-
- 17 sion of law.
- 18 (g) Soft Targets.—Funds appropriated by this Act
- 19 under the heading "Embassy Security, Construction, and
- 20 Maintenance" may be made available for security up-
- 21 grades to soft targets, including schools, recreational fa-
- 22 cilities, and residences used by United States diplomatic
- 23 personnel and their dependents, except that the amount
- 24 made available for such purposes shall be a minimum of
- 25 \$10,000,000.



1 (h) KEPOR'	T.—Within	45	days	of	enactment	of	this
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- 2 Act and every 3 months thereafter until the completion
- 3 of each project, the Secretary of State shall submit to the
- 4 Committees on Appropriations a report on the Erbil Con-
- 5 sulate, Beirut Embassy, Jakarta Embassy, Mexico City
- 6 Embassy, and New Delhi Embassy, as described under
- 7 this section in the explanatory statement described in sec-
- 8 tion 4 (in the matter preceding division A of this consoli-
- 9 dated Act).
- 10 (i) Secure Resupply and Maintenance.—The
- 11 Secretary of State may not grant final approval for the
- 12 construction of a new facility or substantial construction
- 13 to improve or expand an existing facility in the United
- 14 States by or for the Government of the People's Republic
- 15 of China until the Secretary certifies and reports to the
- 16 appropriate congressional committees that an agreement
- 17 has been concluded between the Governments of the
- 18 United States and the People's Republic of China that
- 19 permits secure resupply, maintenance, and new construc-
- 20 tion of United States Government facilities in the People's
- 21 Republic of China.
- 22 PERSONNEL ACTIONS
- Sec. 7005. Any costs incurred by a department or
- 24 agency funded under title I of this Act resulting from per-
- 25 sonnel actions taken in response to funding reductions in-



1	cluded i	in	this Act	shall	be	absorbed	within	the	total	budg-

- 2 etary resources available under title I to such department
- 3 or agency: *Provided*, That the authority to transfer funds
- 4 between appropriations accounts as may be necessary to
- 5 carry out this section is provided in addition to authorities
- 6 included elsewhere in this Act: Provided further, That use
- 7 of funds to carry out this section shall be treated as a
- 8 reprogramming of funds under section 7015 of this Act.
- 9 DEPARTMENT OF STATE MANAGEMENT
- 10 Sec. 7006. (a) Financial Systems Improve-
- 11 Ment.—Funds appropriated by this Act for the operations
- 12 of the Department of State under the headings "Diplo-
- 13 matic Programs" and "Capital Investment Fund" shall be
- 14 made available to implement the recommendations con-
- 15 tained in the Foreign Assistance Data Review Findings
- 16 Report (FADR) and the Office of Inspector General (OIG)
- 17 report entitled "Department Financial Systems Are Insuf-
- 18 ficient to Track and Report on Foreign Assistance
- 19 Funds": Provided, That not later than 45 days after en-
- 20 actment of this Act, the Secretary of State shall submit
- 21 to the Committees on Appropriations an update to the
- 22 plan required under section 7006 of the Department of
- 23 State, Foreign Operations, and Related Programs Appro-
- 24 priations Act, 2017 (division J of Public Law 115-31) for
- 25 implementing the FADR and OIG recommendations: Pro-



- 1 vided further, That such funds may not be obligated for
- 2 enhancements to, or expansions of, the Budget System
- 3 Modernization Financial System, Central Resource Man-
- 4 agement System, Joint Financial Management System, or
- 5 Foreign Assistance Coordination and Tracking System
- 6 until such updated plan is submitted to the Committees
- 7 on Appropriations: Provided further, That such funds may
- 8 not be obligated for new, or expansion of existing, ad hoc
- 9 electronic systems to track commitments, obligations, or
- 10 expenditures of funds unless the Secretary of State, fol-
- 11 lowing consultation with the Chief Information Officer of
- 12 the Department of State, has reviewed and certified that
- 13 such new system or expansion is consistent with the
- 14 FADR and OIG recommendations.
- 15 (b) WORKING CAPITAL FUND.—Funds appropriated
- 16 by this Act or otherwise made available to the Department
- 17 of State for payments to the Working Capital Fund may
- 18 only be used for the service centers included in the Con-
- 19 gressional Budget Justification, Department of State,
- 20 Foreign Operations, and Related Programs, Fiscal Year
- 21 2019: Provided, That the amounts for such service centers
- 22 shall be the amounts included in such budget justification,
- 23 except as provided in section 7015(b) of this Act: Provided
- 24 further, That Federal agency components shall be charged
- 25 only for their direct usage of each Working Capital Fund



1	service: Provided further, That prior to increasing the per-
2	centage charged to Department of State bureaus and of-
3	fices for procurement-related activities, the Secretary of
4	State shall include the proposed increase in the Depart-
5	ment of State budget justification or, at least 60 days
6	prior to the increase, provide the Committees on Appro-
7	priations a justification for such increase, including a de-
8	tailed assessment of the cost and benefit of the services
9	provided by the procurement fee: Provided further, That
10	Federal agency components may only pay for Working
11	Capital Fund services that are consistent with the purpose
12	and authorities of such components: Provided further,
13	That the Working Capital Fund shall be paid in advance
14	or reimbursed at rates which will return the full cost of
15	each service.
16	(c) CERTIFICATION.—
17	(1) Not later than 45 days after the initial obli-
18	gation of funds appropriated under titles III and IV
19	of this Act that are made available to a Department
20	of State bureau or office with responsibility for the

- 21 22
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management and oversight of such funds, the Sec-

retary of State shall certify and report to the Com-

mittees on Appropriations, on an individual bureau

or office basis, that such bureau or office is in com-

pliance with Department and Federal financial and

1	grants management policies, procedures, and regula-
2	tions, as applicable.
3	(2) When making a certification required by
4	paragraph (1), the Secretary of State shall consider
5	the capacity of a bureau or office to—
6	(A) account for the obligated funds at the
7	country and program level, as appropriate;
8	(B) identify risks and develop mitigation
9	and monitoring plans;
10	(C) establish performance measures and
11	indicators;
12	(D) review activities and performance; and
13	(E) assess final results and reconcile fi-
14	nances.
15	(3) If the Secretary of State is unable to make
16	a certification required by paragraph (1), the Sec-
17	retary shall submit a plan and timeline detailing the
18	steps to be taken to bring such bureau or office into
19	compliance.
20	(4) The report accompanying a certification re-
21	quired by paragraph (1) shall include the require-
22	ments contained under this section in House Report
23	115 990



1	PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
2	COUNTRIES
3	Sec. 7007. None of the funds appropriated or other-
4	wise made available pursuant to titles III through VI of
5	this Act shall be obligated or expended to finance directly
6	any assistance or reparations for the governments of
7	Cuba, North Korea, Iran, or Syria: Provided, That for
8	purposes of this section, the prohibition on obligations or
9	expenditures shall include direct loans, credits, insurance,
10	and guarantees of the Export-Import Bank or its agents.
11	COUPS D'ÉTAT
12	Sec. 7008. None of the funds appropriated or other-
13	wise made available pursuant to titles III through VI of
14	this Act shall be obligated or expended to finance directly
15	any assistance to the government of any country whose
16	duly elected head of government is deposed by military
17	coup d'état or decree or, after the date of enactment of
18	this Act, a coup d'état or decree in which the military
19	plays a decisive role: $Provided$, That assistance may be re-
20	sumed to such government if the Secretary of State cer-
21	tifies and reports to the appropriate congressional commit-
22	tees that subsequent to the termination of assistance a
23	democratically elected government has taken of fice: $\ensuremath{\textit{Pro-}}$
24	$vided\ further,$ That the provisions of this section shall not
25	apply to assistance to promote democratic elections or



1	public participation in democratic processes: Provided fur-
2	ther, That funds made available pursuant to the previous
3	provisos shall be subject to the regular notification proce-
4	dures of the Committees on Appropriations.
5	TRANSFER OF FUNDS AUTHORITY
6	Sec. 7009. (a) Department of State and Broad-
7	CASTING BOARD OF GOVERNORS.—
8	(1) Department of State.—Not to exceed 5
9	percent of any appropriation made available for the
10	current fiscal year for the Department of State
11	under title I of this Act may be transferred between
12	and merged with, such appropriations, but no such
13	appropriation, except as otherwise specifically pro-
14	vided, shall be increased by more than 10 percent by
15	any such transfers, and no such transfer may be
16	made to increase the appropriation under the head-
17	ing "Representation Expenses".
18	(2) Broadcasting board of governors.—
19	Not to exceed 5 percent of any appropriation made
20	available for the current fiscal year for the Broad-
21	casting Board of Governors under title I of this Act
22	may be transferred between, and merged with, such
23	appropriations, but no such appropriation, except as
24	otherwise specifically provided, shall be increased by



more than 10 percent by any such transfers.

1	(3) Treatment as reprogramming.—Any
2	transfer pursuant to this subsection shall be treated
3	as a reprogramming of funds under section 7015 of
4	this Act and shall not be available for obligation or
5	expenditure except in compliance with the proce-
6	dures set forth in that section.
7	(b) Title VI Agencies.—Not to exceed 5 percent
8	of any appropriation, other than for administrative ex-
9	penses made available for fiscal year 2019, for programs
10	under title VI of this Act may be transferred between such
11	appropriations for use for any of the purposes, programs,
12	and activities for which the funds in such receiving ac-
13	count may be used, but no such appropriation, except as
14	otherwise specifically provided, shall be increased by more
15	than 25 percent by any such transfer: Provided, That the
16	exercise of such authority shall be subject to the regular
17	notification procedures of the Committees on Appropria-
18	tions.
19	(c) Limitation on Transfers of Funds Be-
20	TWEEN AGENCIES.—
21	(1) In general.—None of the funds made
22	available under titles II through V of this Act may
23	be transferred to any department, agency, or instru-
24	mentality of the United States Government, except
25	pursuant to a transfer made by, or transfer author-



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1	ity provided	in, thi	s Act	or any	other	appropriations
2	Act.					

- (2) Allocation and transfers.—Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.
- 12 Notification.—Any agreement entered 13 into by the United States Agency for International 14 Development or the Department of State with any 15 department, agency, or instrumentality of the United 16 States Government pursuant to section 632(b) of the 17 Foreign Assistance Act of 1961 valued in excess of 18 \$1,000,000 and any agreement made pursuant to 19 section 632(a) of such Act, with funds appropriated 20 by this Act or prior Acts making appropriations for 21 the Department of State, foreign operations, and re-22 lated programs under the headings "Global Health 23 Programs", "Development Assistance", "Economic Support Fund", and "Assistance for Europe, Eur-24 25 asia and Central Asia" shall be subject to the reg-

1 ular notification procedures of the Committees	1	ular	notification	procedures	of	the	Committees	on
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- 2 Appropriations: *Provided*, That the requirement in
- 3 the previous sentence shall not apply to agreements
- 4 entered into between USAID and the Department of
- 5 State.
- 6 (d) Transfer of Funds Between Accounts.—
- 7 None of the funds made available under titles II through
- 8 V of this Act may be obligated under an appropriations
- 9 account to which such funds were not appropriated, except
- 10 for transfers specifically provided for in this Act, unless
- 11 the President, not less than 5 days prior to the exercise
- 12 of any authority contained in the Foreign Assistance Act
- 13 of 1961 to transfer funds, consults with and provides a
- 14 written policy justification to the Committees on Appro-
- 15 priations.
- 16 (e) Audit of Inter-agency Transfers of
- 17 Funds.—Any agreement for the transfer or allocation of
- 18 funds appropriated by this Act or prior Acts making ap-
- 19 propriations for the Department of State, foreign oper-
- 20 ations and related programs, entered into between the De-
- 21 partment of State or USAID and another agency of the
- 22 United States Government under the authority of section
- 23 632(a) of the Foreign Assistance Act of 1961 or any com-
- 24 parable provision of law, shall expressly provide that the
- 25 Inspector General (IG) for the agency receiving the trans-



- 1 fer or allocation of such funds, or other entity with audit
- 2 responsibility if the receiving agency does not have an IG,
- 3 shall perform periodic program and financial audits of the
- 4 use of such funds and report to the Department of State
- 5 or USAID, as appropriate, upon completion of such au-
- 6 dits: Provided, That such audits shall be transmitted to
- 7 the Committees on Appropriations by the Department of
- 8 State or USAID, as appropriate: Provided further, That
- 9 funds transferred under such authority may be made
- 10 available for the cost of such audits.
- 11 (f) Report.—Not later than October 31, 2019, the
- 12 Secretary of State and the USAID Administrator shall
- 13 each submit a report to the Committees on Appropriations
- 14 detailing all transfers to another agency of the United
- 15 States Government made pursuant to sections 632(a) and
- 16 632(b) of the Foreign Assistance Act of 1961 with funds
- 17 provided in the Department of State, Foreign Operations,
- 18 and Related Programs Appropriations Act, 2018 (division
- 19 K of Public Law 115–141): Provided, That such reports
- 20 shall include a list of each transfer made pursuant to such
- 21 sections with the respective funding level, appropriation
- 22 account, and the receiving agency.
- 23 PROHIBITION ON CERTAIN OPERATIONAL EXPENSES
- 24 Sec. 7010. (a) First-Class Travel.—None of the
- 25 funds made available by this Act may be used for first-



- 1 class travel by employees of United States Government de-
- 2 partments and agencies funded by this Act in contraven-
- 3 tion of section 301–10.122 through 301–10.124 of title
- 4 41, Code of Federal Regulations.
- 5 (b) Computer Networks.—None of the funds
- 6 made available by this Act for the operating expenses of
- 7 any United States Government department or agency may
- 8 be used to establish or maintain a computer network for
- 9 use by such department or agency unless such network
- 10 has filters designed to block access to sexually explicit
- 11 websites: Provided, That nothing in this subsection shall
- 12 limit the use of funds necessary for any Federal, State,
- 13 tribal, or local law enforcement agency, or any other entity
- 14 carrying out the following activities: criminal investiga-
- 15 tions, prosecutions, and adjudications; administrative dis-
- 16 cipline; and the monitoring of such websites undertaken
- 17 as part of official business.
- 18 (c) Prohibition on Promotion of Tobacco.—
- 19 None of the funds made available by this Act should be
- 20 available to promote the sale or export of tobacco or to-
- 21 bacco products, or to seek the reduction or removal by any
- 22 foreign country of restrictions on the marketing of tobacco
- 23 or tobacco products, except for restrictions which are not
- 24 applied equally to all tobacco or tobacco products of the
- 25 same type.



1	AVAILABILITY OF FUNDS
2	Sec. 7011. No part of any appropriation contained
3	in this Act shall remain available for obligation after the
4	expiration of the current fiscal year unless expressly so
5	provided by this Act: Provided, That funds appropriated
6	for the purposes of chapters 1 and 8 of part I, section
7	661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
8	Assistance Act of 1961, section 23 of the Arms Export
9	Control Act, and funds provided under the headings "De-
10	velopment Credit Authority" and "Assistance for Europe
11	Eurasia and Central Asia" shall remain available for an
12	additional 4 years from the date on which the availability
13	of such funds would otherwise have expired, if such funds
14	are initially obligated before the expiration of their respec-
15	tive periods of availability contained in this Act: Provided
16	further, That the availability of funds pursuant to the pre-
17	vious proviso shall not be applicable to such funds unti
18	the Secretary of State submits the reports required under
19	section 7011 of the Department of State, Foreign Oper-
20	ations, and Related Programs Appropriations Act, 2017
21	(division J of Public Law 115–31) and the Department
22	of State, Foreign Operations, and Related Programs Ap-
23	propriations Act, 2018 (division K of Public Law 115-
24	141): Provided further, That notwithstanding any other
25	provision of this Act any funds made available for the



- 1 purposes of chapter 1 of part I and chapter 4 of part II
- 2 of the Foreign Assistance Act of 1961 which are allocated
- 3 or obligated for cash disbursements in order to address
- 4 balance of payments or economic policy reform objectives,
- 5 shall remain available for an additional 4 years from the
- 6 date on which the availability of such funds would other-
- 7 wise have expired, if such funds are initially allocated or
- 8 obligated before the expiration of their respective periods
- 9 of availability contained in this Act: Provided further, That
- 10 the Secretary of State shall provide a report to the Com-
- 11 mittees on Appropriations not later than October 31,
- 12 2019, detailing by account and source year, the use of this
- 13 authority during the previous fiscal year.
- 14 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT
- 15 Sec. 7012. No part of any appropriation provided
- 16 under titles III through VI in this Act shall be used to
- 17 furnish assistance to the government of any country which
- 18 is in default during a period in excess of 1 calendar year
- 19 in payment to the United States of principal or interest
- 20 on any loan made to the government of such country by
- 21 the United States pursuant to a program for which funds
- 22 are appropriated under this Act unless the President de-
- 23 termines, following consultation with the Committees on
- 24 Appropriations, that assistance for such country is in the
- 25 national interest of the United States.



1	PROHIBITION ON TAXATION OF UNITED STATES
2	ASSISTANCE
3	Sec. 7013. (a) Prohibition on Taxation.—None
4	of the funds appropriated under titles III through VI of
5	this Act may be made available to provide assistance for
6	a foreign country under a new bilateral agreement gov-
7	erning the terms and conditions under which such assist-
8	ance is to be provided unless such agreement includes a
9	provision stating that assistance provided by the United
10	States shall be exempt from taxation, or reimbursed, by
11	the foreign government, and the Secretary of State and
12	the Administrator of the United States Agency for Inter-
13	national Development shall expeditiously seek to negotiate
14	amendments to existing bilateral agreements, as nec-
15	essary, to conform with this requirement.
16	(b) Notification and Reimbursement of For-
17	EIGN TAXES.—An amount equivalent to 200 percent of
18	the total taxes assessed during fiscal year 2019 on funds
19	appropriated by this Act and prior Acts making appropria-
20	tions for the Department of State, foreign operations, and
21	related programs by a foreign government or entity
22	against United States assistance programs, either directly
23	or through grantees, contractors, and subcontractors, shall
24	be withheld from obligation from funds appropriated for
25	assistance for fiscal year 2020 and for prior fiscal years



1 and allocated for the central government of suc		nt	. C	cen	nt	nt	en	cer	CE	0	•	10	hε	th	tl	th	he	e		0	ce	en	nt	tı	T	r	r	r	1.	*	*:	٠,	٠;	٠;	•;	*	•	*	•	*	٠;	:	۶	9	1	a	1	1	1	1	1	a	۶	۶	:	:	٠	ľ	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1			Ī	Ī	Ī	Ī	Ī	Ī	Ī					Ī	Ī	Ī	Ī	t	t	t	1	1	1	1	1	1	1	t	1	t	t	t	t	t	Ī	Ī	5	Ī	t	ľ	ľ	ľ	t	t	ľ	t	ľ	t	t	t				Ī	5						Ī	Ī	Ī	t	t	ľ	ľ	t	t	t
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- 2 or for the West Bank and Gaza program, as applicable,
- 3 if, not later than September 30, 2020, such taxes have
- 4 not been reimbursed: Provided, That the Secretary of
- 5 State shall report to the Committees on Appropriations
- 6 by such date on the foreign governments and entities that
- 7 have not reimbursed such taxes, including any amount of
- 8 funds withheld pursuant to this subsection.
- 9 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de
- 10 minimis nature shall not be subject to the provisions of
- 11 subsection (b).
- 12 (d) Reprogramming of Funds.—Funds withheld
- 13 from obligation for each foreign government or entity pur-
- 14 suant to subsection (b) shall be reprogrammed for assist-
- 15 ance for countries which do not assess taxes on United
- 16 States assistance or which have an effective arrangement
- 17 that is providing substantial reimbursement of such taxes,
- 18 and that can reasonably accommodate such assistance in
- 19 a programmatically responsible manner.
- 20 (e) Determinations.—
- 21 (1) In general.—The provisions of this sec-
- tion shall not apply to any foreign government or en-
- 23 tity that assesses such taxes if the Secretary of
- 24 State reports to the Committees on Appropriations
- 25 that—



1	(A) such foreign government or entity has
2	an effective arrangement that is providing sub-
3	stantial reimbursement of such taxes; or
4	(B) the foreign policy interests of the
5	United States outweigh the purpose of this sec-
6	tion to ensure that United States assistance is
7	not subject to taxation.
8	(2) Consultation.—The Secretary of State
9	shall consult with the Committees on Appropriations
0	at least 15 days prior to exercising the authority of
1	this subsection with regard to any foreign govern-
2	ment or entity.
3	(f) Implementation.—The Secretary of State shall
4	issue and update rules, regulations, or policy guidance, as
5	appropriate, to implement the prohibition against the tax-
6	ation of assistance contained in this section.
7	(g) DEFINITIONS.—As used in this section:
8	(1) BILATERAL AGREEMENT.—The term "bilat-
9	eral agreement" refers to a framework bilateral
20	agreement between the Government of the United
21	States and the government of the country receiving
22	assistance that describes the privileges and immuni-
23	ties applicable to United States foreign assistance
24	for such country generally, or an individual agree-
5	ment between the Government of the United States



1	and such government that describes, among other
2	things, the treatment for tax purposes that will be
3	accorded the United States assistance provided
4	under that agreement.
5	(2) Taxes and taxation.—The term "taxes
6	and taxation" shall include value added taxes and
7	customs duties but shall not include individual in-
8	come taxes assessed to local staff.
9	(h) Report.—Not later than 90 days after enact-
10	ment of this Act, the Secretary of State, in consultation
11	with the heads of other relevant agencies of the United
12	States Government, shall submit a report to the Commit-
13	tees on Appropriations on the requirements contained
14	under this section in House Report 115–829.
15	RESERVATIONS OF FUNDS
16	Sec. 7014. (a) Reprogramming.—Funds appro-
17	priated under titles III through VI of this Act which are
18	specifically designated may be reprogrammed for other
19	programs within the same account notwithstanding the
20	designation if compliance with the designation is made im-
21	possible by operation of any provision of this or any other
22	Act: Provided, That any such reprogramming shall be sub-
23	ject to the regular notification procedures of the Commit-
24	tees on Appropriations: $Provided\ further,\ That\ assistance$
25	that is reprogrammed pursuant to this subsection shall be



- 1 made available under the same terms and conditions as
- 2 originally provided.
- 3 (b) Extension of Availability.—In addition to
- 4 the authority contained in subsection (a), the original pe-
- 5 riod of availability of funds appropriated by this Act and
- 6 administered by the Department of State or the United
- 7 States Agency for International Development that are spe-
- 8 cifically designated for particular programs or activities by
- 9 this or any other Act may be extended for an additional
- 10 fiscal year if the Secretary of State or the USAID Admin-
- 11 istrator, as appropriate, determines and reports promptly
- 12 to the Committees on Appropriations that the termination
- 13 of assistance to a country or a significant change in cir-
- 14 cumstances makes it unlikely that such designated funds
- 15 can be obligated during the original period of availability:
- 16 Provided, That such designated funds that continue to be
- 17 available for an additional fiscal year shall be obligated
- 18 only for the purpose of such designation.
- 19 (c) Other Acts.—Ceilings and specifically des-
- 20 ignated funding levels contained in this Act shall not be
- 21 applicable to funds or authorities appropriated or other-
- 22 wise made available by any subsequent Act unless such
- 23 Act specifically so directs: Provided, That specifically des-
- 24 ignated funding levels or minimum funding requirements



1	contained in any other Act shall not be applicable to funds
2	appropriated by this Act.
3	NOTIFICATION REQUIREMENTS
4	Sec. 7015. (a) Notification of Changes in Pro
5	GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
6	made available in titles I and II of this Act or prior Acts
7	making appropriations for the Department of State, for
8	eign operations, and related programs to the departments
9	and agencies funded by this Act that remain available for
10	obligation in fiscal year 2019, or provided from any ac
11	counts in the Treasury of the United States derived by
12	the collection of fees or of currency reflows or other offset
13	ting collections, or made available by transfer, to the de
14	partments and agencies funded by this Act, shall be avail
15	able for obligation to—
16	(1) create new programs;
17	(2) suspend or eliminate a program, project, or
18	activity;
19	(3) close, suspend, open, or reopen a mission of
20	post;
21	(4) create, close, reorganize, downsize, or re
22	name bureaus, centers, or offices; or
23	(5) contract out or privatize any functions of
24	activities presently performed by Federal employees



1	unless previously justified to the Committees on Appro-
2	priations or such Committees are notified 15 days in ad-
3	vance of such obligation.
4	(b) Notification of Reprogramming of
5	Funds.—None of the funds provided under titles I and
6	II of this Act or prior Acts making appropriations for the
7	Department of State, foreign operations, and related pro-
8	grams, to the departments and agencies funded under ti-
9	tles I and II of this Act that remain available for obliga-
10	tion in fiscal year 2019, or provided from any accounts
11	in the Treasury of the United States derived by the collec-
12	tion of fees available to the department and agency funded
13	under title I of this Act, shall be available for obligation
14	or expenditure for activities, programs, or projects
15	through a reprogramming of funds in excess of
16	1,000,000 or 10 percent, whichever is less, that—
17	(1) augments or changes existing programs,
18	projects, or activities;
19	(2) relocates an existing office or employees;
20	(3) reduces by 10 percent funding for any exist-
21	ing program, project, or activity, or numbers of per-
22	sonnel by 10 percent as approved by Congress; or
23	(4) results from any general savings, including
24	savings from a reduction in personnel, which would



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- 2 projects as approved by Congress;
- 3 unless the Committees on Appropriations are notified 15
- 4 days in advance of such reprogramming of funds.
- 5 (c) NOTIFICATION REQUIREMENT.—None of the
- 6 funds made available by this Act under the headings
- 7 "Global Health Programs", "Development Assistance",
- 8 "International Organizations and Programs", "Trade and
- 9 Development Agency", "International Narcotics Control
- 10 and Law Enforcement", "Economic Support Fund", "De-
- 11 mocracy Fund", "Assistance for Europe, Eurasia and
- 12 Central Asia", "Peacekeeping Operations", "Non-
- 13 proliferation, Anti-terrorism, Demining and Related Pro-
- 14 grams", "Millennium Challenge Corporation", "Foreign
- 15 Military Financing Program", "International Military
- 16 Education and Training", and "Peace Corps", shall be
- 17 available for obligation for activities, programs, projects,
- 18 type of materiel assistance, countries, or other operations
- 19 not justified or in excess of the amount justified to the
- 20 Committees on Appropriations for obligation under any of
- 21 these specific headings unless the Committees on Appro-
- 22 priations are notified 15 days in advance of such obliga-
- 23 tion: Provided, That the President shall not enter into any
- 24 commitment of funds appropriated for the purposes of sec-
- 25 tion 23 of the Arms Export Control Act for the provision



- 1 of major defense equipment, other than conventional am-
- 2 munition, or other major defense items defined to be air-
- 3 craft, ships, missiles, or combat vehicles, not previously
- 4 justified to Congress or 20 percent in excess of the quan-
- 5 tities justified to Congress unless the Committees on Ap-
- 6 propriations are notified 15 days in advance of such com-
- 7 mitment: Provided further, That requirements of this sub-
- 8 section or any similar provision of this or any other Act
- 9 shall not apply to any reprogramming for an activity, pro-
- 10 gram, or project for which funds are appropriated under
- 11 titles III through VI of this Act of less than 10 percent
- 12 of the amount previously justified to Congress for obliga-
- 13 tion for such activity, program, or project for the current
- 14 fiscal year: Provided further, That any notification sub-
- 15 mitted pursuant to subsection (f) of this section shall in-
- 16 clude information (if known on the date of transmittal of
- 17 such notification) on the use of notwithstanding authority:
- 18 Provided further, That if subsequent to the notification of
- 19 assistance it becomes necessary to rely on notwithstanding
- 20 authority, the Committees on Appropriations should be in-
- 21 formed at the earliest opportunity and to the extent prac-
- 22 ticable.
- 23 (d) Department of Defense Programs and
- 24 Funding Notifications.—



1	(1) Programs.—None of the funds appro-
2	priated by this Act or prior Acts making appropria-
3	tions for the Department of State, foreign oper-
4	ations, and related programs may be made available
5	to support or continue any program initially funded
6	under any authority of title 10, United States Code,
7	or any Act making or authorizing appropriations for
8	the Department of Defense, unless the Secretary of
9	State, in consultation with the Secretary of Defense
10	and in accordance with the regular notification pro-
11	cedures of the Committees on Appropriations, sub-
12	mits a justification to such Committees that includes
13	a description of, and the estimated costs associated
14	with, the support or continuation of such program.
15	(2) Funding.—Notwithstanding any other pro-
16	vision of law, funds transferred by the Department
17	of Defense to the Department of State and the
18	United States Agency for International Development
19	for assistance for foreign countries and international
20	organizations shall be subject to the regular notifica-
21	tion procedures of the Committees on Appropria-
22	tions.
23	(3) Notification on excess defense arti-
24	CLES.—Prior to providing excess Department of De-
25	fense articles in accordance with section 516(a) of



1	the Foreign Assistance Act of 1961, the Department
2	of Defense shall notify the Committees on Appro-
3	priations to the same extent and under the same
4	conditions as other committees pursuant to sub-
5	section (f) of that section: Provided, That before
6	issuing a letter of offer to sell excess defense articles
7	under the Arms Export Control Act, the Department
8	of Defense shall notify the Committees on Appro-
9	priations in accordance with the regular notification
10	procedures of such Committees if such defense arti-
11	cles are significant military equipment (as defined in
12	section 47(9) of the Arms Export Control Act) or
13	are valued (in terms of original acquisition cost) at
14	\$7,000,000 or more, or if notification is required
15	elsewhere in this Act for the use of appropriated
16	funds for specific countries that would receive such
17	excess defense articles: Provided further, That such
18	Committees shall also be informed of the original ac-
19	quisition cost of such defense articles.
20	(e) Waiver.—The requirements of this section or
21	any similar provision of this Act or any other Act, includ-
22	ing any prior Act requiring notification in accordance with
23	the regular notification procedures of the Committees on
24	Appropriations, may be waived if failure to do so would
25	nose a substantial risk to human health or welfare. Pro



- 1 vided, That in case of any such waiver, notification to the
- 2 Committees on Appropriations shall be provided as early
- 3 as practicable, but in no event later than 3 days after tak-
- 4 ing the action to which such notification requirement was
- 5 applicable, in the context of the circumstances necessi-
- 6 tating such waiver: Provided further, That any notification
- 7 provided pursuant to such a waiver shall contain an expla-
- 8 nation of the emergency circumstances.
- 9 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
- 10 of the funds appropriated under titles III through VI of
- 11 this Act may be obligated or expended for assistance for
- 12 Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Colom-
- 13 bia, Cuba, Egypt, El Salvador, Ethiopia, Guatemala,
- 14 Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mexico,
- 15 Nicaragua, Pakistan, Philippines, the Russian Federation,
- 16 Somalia, South Sudan, Sri Lanka, Sudan, Syria,
- 17 Uzbekistan, Venezuela, Yemen, and Zimbabwe except as
- 18 provided through the regular notification procedures of the
- 19 Committees on Appropriations.
- 20 (g) Trust Funds.—Funds appropriated or other-
- 21 wise made available in title III of this Act and prior Acts
- 22 making funds available for the Department of State, for-
- 23 eign operations, and related programs that are made avail-
- 24 able for a trust fund held by an international financial
- 25 institution shall be subject to the regular notification pro-



1	cedures of the Committees on Appropriations: Provided
2	That such notification shall include the information speci-
3	fied under this section in the explanatory statement ac-
4	companying the Department of State, Foreign Operations
5	and Related Programs Appropriations Act, 2018 (division
6	K of Public Law 115–141).
7	(h) Other Program Notification Require-
8	MENT.—
9	(1) DIPLOMATIC PROGRAMS.—Funds appro-
10	priated under title I of this Act under the heading
11	"Diplomatic Programs" that are made available for
12	a pilot program for lateral entry into the Foreign
13	Service shall be subject to prior consultation with
14	and the regular notification procedures of, the Com-
15	mittees on Appropriations.
16	(2) Other programs.—Funds appropriated by
17	this Act that are made available for the following
18	programs and activities shall be subject to the reg-
19	ular notification procedures of the Committees or
20	Appropriations—
21	(A) The Global Engagement Center, except
22	that the Secretary of State shall consult with
23	the appropriate congressional committees prior
24	to submitting such notification;



1	(B) The Power Africa initiative, or any
2	successor program;
3	(C) Community-based police assistance
4	conducted pursuant to the authority of section
5	7049(a)(1) of this Act;
6	(D) Programs to counter foreign fighters
7	and extremist organizations, pursuant to sec-
8	tion 7071(a) of this Act;
9	(E) The Relief and Recovery Fund;
0	(F) The Indo-Pacific Strategy;
1	(G) The Global Security Contingency
2	$\mathbf{Fund};$
13	(H) The Countering Russian Influence
4	Fund; and
5	(I) Programs to end modern slavery.
6	(i) Withholding of Funds.—Funds appropriated
7	by this Act under titles III and IV that are withheld from
8	obligation or otherwise not programmed as a result of ap-
9	plication of a provision of law in this or any other Act
20	shall, if reprogrammed, be subject to the regular notifica-
21	tion procedures of the Committees on Appropriations.
22	(j) Requirement to Inform, Coordinate, and
23	Consult.—
24	(1) The Secretary of State shall promptly in-
25	form the appropriate congressional committees of



1	each instance in which funds appropriated by this
2	Act for assistance for Iraq, Libya, Somalia, Syria,
3	the Counterterrorism Partnership Fund, the Relief
4	and Recovery Fund, or programs to counter extre-
5	mism and foreign fighters abroad, have been di-
6	verted or destroyed, to include the type and amount
7	of assistance, a description of the incident and par-
8	ties involved, and an explanation of the response of
9	the Department of State or USAID, as appropriate:
10	Provided, That the Secretary shall ensure such
11	funds are coordinated with, and complement, the
12	programs of other United States Government de-
13	partments and agencies and international partners
14	in such countries and on such activities.
15	(2) The Secretary of State shall consult with
16	the Committees on Appropriations at least seven
17	days prior to informing a government of, or pub-
18	lically announcing a decision on, the suspension of

20 a result of an interagency review of such assistance, 21 from funds appropriated by this Act or prior Acts

assistance to a country or a territory, including as

22 making appropriations for the Department of State,

foreign operations, and related programs.

1	DOCUMENT REQUESTS, RECORDS MANAGEMENT, AND
2	RELATED CYBERSECURITY PROTECTIONS
3	Sec. 7016. (a) Requests for Documents.—None
4	of the funds appropriated or made available pursuant to
5	titles III through VI of this Act shall be available to a
6	nongovernmental organization, including any contractor,
7	which fails to provide upon timely request any document,
8	file, or record necessary to the auditing requirements of
9	the Department of State and the United States Agency
10	for International Development.
11	(b) RECORDS MANAGEMENT AND RELATED
12	Cybersecurity Protections.—
13	(1) Limitation.—None of the funds appro-
14	priated by this Act under the headings "Diplomatic
15	Programs" and "Capital Investment Fund" in title
16	I, and "Operating Expenses" and "Capital Invest-
17	ment Fund" in title II that are made available to
18	the Department of State and USAID may be made
19	available to support the use or establishment of
20	email accounts or email servers created outside the
21	.gov domain or not fitted for automated records
22	management as part of a Federal government
23	records management program in contravention of
24	the Presidential and Federal Records Act Amend-
25	monte of 2014 (Public Law 112, 187)



1	(2) Directives.—The Secretary of State and
2	USAID Administrator shall—
3	(A) regularly review and update the poli-
4	cies, directives, and oversight necessary to com-
5	ply with Federal statutes, regulations, and pres-
6	idential executive orders and memoranda con-
7	cerning the preservation of all records made or
8	received in the conduct of official business, in-
9	cluding record emails, instant messaging, and
10	other online tools;
11	(B) use funds appropriated by this Act
12	under the headings "Diplomatic Programs" and
13	"Capital Investment Fund" in title I, and "Op-
14	erating Expenses" and "Capital Investment
15	Fund" in title II, as appropriate, to improve
16	Federal records management pursuant to the
17	Federal Records Act (44 U.S.C. Chapters 21,
18	29, 31, and 33) and other applicable Federal
19	records management statutes, regulations, or
20	policies for the Department of State and
21	USAID;
22	(C) direct departing employees that all
23	Federal records generated by such employees,
24	including senior officials, belong to the Federal
25	Government;



1	(D) improve the response time for identi-
2	fying and retrieving Federal records, including
3	requests made pursuant to section 552 of title
4	5, United States Code (commonly known as the
5	"Freedom of Information Act"); and
6	(E) strengthen cyber security measures to
7	mitigate vulnerabilities, including those result-
8	ing from the use of personal email accounts or
9	servers outside the .gov domain, improve the
10	process to identify and remove inactive user ac-
11	counts, update and enforce guidance related to
12	the control of national security information, and
13	implement the recommendations of the applica-
14	ble reports of the cognizant Office of Inspector
15	General.
16	USE OF FUNDS IN CONTRAVENTION OF THIS ACT
17	Sec. 7017. If the President makes a determination
18	not to comply with any provision of this Act on constitu-
19	tional grounds, the head of the relevant Federal agency
20	shall notify the Committees on Appropriations in writing
21	within 5 days of such determination, the basis for such
22	determination and any resulting changes to program and
23	policy.



1	PROHIBITION ON FUNDING FOR ABORTIONS AND
2	INVOLUNTARY STERILIZATION
3	Sec. 7018. None of the funds made available to carry
4	out part I of the Foreign Assistance Act of 1961, as
5	amended, may be used to pay for the performance of abor-
6	tions as a method of family planning or to motivate or
7	coerce any person to practice abortions. None of the funds
8	made available to carry out part I of the Foreign Assist
9	ance Act of 1961, as amended, may be used to pay for
10	the performance of involuntary sterilization as a method
11	of family planning or to coerce or provide any financia
12	incentive to any person to undergo sterilizations. None of
13	the funds made available to carry out part I of the Foreign
14	Assistance Act of 1961, as amended, may be used to pay
15	for any biomedical research which relates in whole or in
16	part, to methods of, or the performance of, abortions or
17	involuntary sterilization as a means of family planning
18	None of the funds made available to carry out part I of
19	the Foreign Assistance Act of 1961, as amended, may be
20	obligated or expended for any country or organization is
21	the President certifies that the use of these funds by any
22	such country or organization would violate any of the
23	above provisions related to abortions and involuntary steri-
24	lizations.



1	ALLOCATIONS AND REPORTS
2	Sec. 7019. (a) Allocation Tables.—Subject to
3	subsection (b), funds appropriated by this Act under titles
4	III through V shall be made available in the amounts spe-
5	cifically designated in the respective tables included in the
6	explanatory statement described in section 4 (in the mat-
7	ter preceding division A of this consolidated Act): Pro-
8	vided, That such designated amounts for foreign countries
9	and international organizations shall serve as the amounts
10	for such countries and international organizations trans-
11	mitted to Congress in the report required by section
12	653(a) of the Foreign Assistance Act of 1961.
13	(b) Authorized Deviations.—Unless otherwise
14	provided for by this Act, the Secretary of State and the
15	Administrator of the United States Agency for Inter-
16	national Development, as applicable, may only deviate up
17	to 10 percent from the amounts specifically designated in
18	the respective tables included in the explanatory statement
19	described in section 4 (in the matter preceding division
20	A of this consolidated Act): Provided, That such percent-
21	age may be exceeded only if the Secretary of State and
22	USAID Administrator, as applicable, determines and re-
23	ports to the Committees on Appropriations on a case-by-
24	case basis that such deviation is necessary to respond to
25	significant axigant or unforesean agents or to address



1	other exceptional circumstances directly related to the na-
2	tional security interest of the United States: Provided fur-
3	ther, That deviations pursuant to the previous provisor
4	shall be subject to prior consultation with, and the regular
5	notification procedures of, the Committees on Appropria-
6	tions.
7	(c) Limitation.—For specifically designated
8	amounts that are included, pursuant to subsection (a), in
9	the report required by section 653(a) of the Foreign As-
10	sistance Act of 1961, no deviations authorized by sub-
11	section (b) may take place until submission of such report.
12	(d) Exceptions.—
13	(1) Subsections (a) and (b) shall not apply to—
14	(A) amounts designated for "International
15	Military Education and Training" in the re-
16	spective tables included in the explanatory
17	statement described in section 4 (in the matter
18	preceding division A of this consolidated Act);
19	(B) funds for which the initial period of
20	availability has expired;
21	(C) amounts designated by this Act as
22	minimum funding requirements; and
23	(D) funds made available for a country
24	pursuant to sections 7043(c), 7047(d), and
25	7071(b) of this Act.



1	(2) The authority in subsection (b) to deviate
2	below amounts designated in the respective tables in-
3	cluded in the explanatory statement described in sec-
4	tion 4 (in the matter preceding division A of this
5	consolidated Act) shall not apply to the table in-
6	cluded under the heading "Global Health Programs"
7	in such explanatory statement.
8	(3) With respect to the amounts designated for
9	"Global Programs" in the table under the heading
10	"Economic Support Fund" included in the explana-
11	tory statement described in section 4 (in the matter
12	preceding division A of this consolidated Act), sub-
13	section (b) shall be applied by substituting "5 per-
14	cent" for "10 percent".
15	(e) Reports.—The Secretary of State and the
16	USAID Administrator, as appropriate, shall submit the
17	reports required, in the manner described, in House Re-
18	port 115–829, Senate Report 115–282, and the explana-
19	tory statement described in section 4 (in the matter pre-
20	ceding division A of this consolidated Act), unless directed
21	otherwise in such explanatory statement.
22	REPRESENTATION AND ENTERTAINMENT EXPENSES
23	Sec. 7020. (a) Uses of Funds.—Each Federal de-
24	partment, agency, or entity funded in titles I or II of this
25	Act, and the Department of the Treasury and independent



1	agencies funded in titles III or VI of this Act, shall take
2	steps to ensure that domestic and overseas representation
3	and entertainment expenses further official agency busi-
4	ness and United States foreign policy interests, and—
5	(1) are primarily for fostering relations outside
6	of the Executive Branch;
7	(2) are principally for meals and events of a
8	protocol nature;
9	(3) are not for employee-only events; and
10	(4) do not include activities that are substan-
11	tially of a recreational character.
12	(b) Limitations.—None of the funds appropriated
13	or otherwise made available by this Act under the head-
14	ings "International Military Education and Training" or
15	"Foreign Military Financing Program" for Informational
16	Program activities or under the headings "Global Health
17	Programs", "Development Assistance", "Economic Sup-
18	port Fund", and "Assistance for Europe, Eurasia and
19	Central Asia" may be obligated or expended to pay for—
20	(1) alcoholic beverages; or
21	(2) entertainment expenses for activities that
22	are substantially of a recreational character, includ-
23	ing entrance fees at sporting events, theatrical and
24	musical productions, and amusement parks.



1	PROHIBITION ON ASSISTANCE TO GOVERNMENTS
2	SUPPORTING INTERNATIONAL TERRORISM
3	Sec. 7021. (a) Lethal Military Equipment Ex-
4	PORTS.—
5	(1) Prohibition.—None of the funds appro-
6	priated or otherwise made available under titles Π
7	through VI of this Act may be made available to any
8	foreign government which provides lethal military
9	equipment to a country the government of which the
10	Secretary of State has determined supports inter-
11	national terrorism for purposes of section 6(j) of the
12	Export Administration Act of 1979 as continued in
13	effect pursuant to the International Emergency Eco-
14	nomic Powers Act: Provided, That the prohibition
15	under this section with respect to a foreign govern-
16	ment shall terminate 12 months after that govern-
17	ment ceases to provide such military equipment:
18	Provided further, That this section applies with re-
19	spect to lethal military equipment provided under a
20	contract entered into after October 1, 1997.
21	(2) Determination.—Assistance restricted by
22	paragraph (1) or any other similar provision of law,
23	may be furnished if the President determines that to
24	do so is important to the national interest of the
25	United States.



1	(3) Report.—Whenever the President makes a
2	determination pursuant to paragraph (2), the Presi-
3	dent shall submit to the Committees on Appropria-
4	tions a report with respect to the furnishing of such
5	assistance, including a detailed explanation of the
6	assistance to be provided, the estimated dollar
7	amount of such assistance, and an explanation of
8	how the assistance furthers United States national
9	interest.
10	(b) BILATERAL ASSISTANCE.—
11	(1) Limitations.—Funds appropriated for bi-
12	lateral assistance in titles III through VI of this Act
13	and funds appropriated under any such title in prior
14	Acts making appropriations for the Department of
15	State, foreign operations, and related programs,
16	shall not be made available to any foreign govern-
17	ment which the President determines—
18	(A) grants sanctuary from prosecution to
19	any individual or group which has committed
20	an act of international terrorism;
21	(B) otherwise supports international ter-
22	rorism; or
23	(C) is controlled by an organization des-
24	ignated as a terrorist organization under sec-



1	tion 219 of the Immigration and Nationality
2	Act (8 U.S.C. 1189).
3	(2) Waiver.—The President may waive the ap-
4	plication of paragraph (1) to a government if the
5	President determines that national security or hu-
6	manitarian reasons justify such waiver: Provided
7	That the President shall publish each such waiver in
8	the Federal Register and, at least 15 days before the
9	waiver takes effect, shall notify the Committees on
10	Appropriations of the waiver (including the justifica-
11	tion for the waiver) in accordance with the regular
12	notification procedures of the Committees on Appro-
13	priations.
14	AUTHORIZATION REQUIREMENTS
15	Sec. 7022. Funds appropriated by this Act, except
16	funds appropriated under the heading "Trade and Devel-
17	opment Agency", may be obligated and expended notwith-
18	standing section 10 of Public Law 91–672 (22 U.S.C
19	2412), section 15 of the State Department Basic Authori-
20	ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
21	eign Relations Authorization Act, Fiscal Years 1994 and
22	1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
23	tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).



1	DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY
2	Sec. 7023. For the purpose of titles II through VI
3	of this Act "program, project, and activity" shall be de-
4	fined at the appropriations Act account level and shall in-
5	clude all appropriations and authorizations Acts funding
6	directives, ceilings, and limitations with the exception that
7	for the following accounts: "Economic Support Fund",
8	"Assistance for Europe, Eurasia and Central Asia", and
9	"Foreign Military Financing Program", "program,
10	project, and activity" shall also be considered to include
11	country, regional, and central program level funding with-
12	in each such account; and for the development assistance
13	accounts of the United States Agency for International
14	Development, "program, project, and activity" shall also
15	be considered to include central, country, regional, and
16	program level funding, either as—
17	(1) justified to Congress; or
18	(2) allocated by the Executive Branch in ac-
19	cordance with a report, to be provided to the Com-
20	mittees on Appropriations within 30 days after en-
21	actment of this Act, as required by section 653(a)
22	of the Foreign Assistance Act of 1961 or as modi-
23	fied pursuant to section 7019 of this Act.



1	AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
2	FOUNDATION AND UNITED STATES AFRICAN DEVEL-
3	OPMENT FOUNDATION
4	Sec. 7024. Unless expressly provided to the contrary,
5	provisions of this or any other Act, including provisions
6	contained in prior Acts authorizing or making appropria-
7	tions for the Department of State, foreign operations, and
8	related programs, shall not be construed to prohibit activi-
9	ties authorized by or conducted under the Peace Corps
10	Act, the Inter-American Foundation Act or the African
11	Development Foundation Act: Provided, That prior to con-
12	ducting activities in a country for which assistance is pro-
13	hibited, the agency shall consult with the Committees on
14	Appropriations and report to such Committees within 15
15	days of taking such action.
16	COMMERCE, TRADE AND SURPLUS COMMODITIES

- 17 Sec. 7025. (a) World Markets.—None of the
- 18 funds appropriated or made available pursuant to titles
- 19 III through VI of this Act for direct assistance and none
- 20 of the funds otherwise made available to the Export-Im-
- 21 port Bank and the Overseas Private Investment Corpora-
- 22 tion shall be obligated or expended to finance any loan,
- 23 any assistance, or any other financial commitments for es-
- 24 tablishing or expanding production of any commodity for
- 25 export by any country other than the United States, if



1	the commodity is likely to be in surplus on world markets
2	at the time the resulting productive capacity is expected
3	to become operative and if the assistance will cause sub-
4	stantial injury to United States producers of the same,
5	similar, or competing commodity: Provided, That such
6	prohibition shall not apply to the Export-Import Bank if
7	in the judgment of its Board of Directors the benefits to
8	industry and employment in the United States are likely
9	to outweigh the injury to United States producers of the
10	same, similar, or competing commodity, and the Chairman
11	of the Board so notifies the Committees on Appropria-
12	tions: $Provided\ further,$ That this subsection shall not pro-
13	hibit—
14	(1) activities in a country that is eligible for as-
15	sistance from the International Development Asso-
16	ciation, is not eligible for assistance from the Inter-
17	national Bank for Reconstruction and Development,
18	and does not export on a consistent basis the agri-
19	cultural commodity with respect to which assistance
20	is furnished; or
21	(2) activities in a country the President deter-
22	mines is recovering from widespread conflict, a hu-
23	manitarian crisis, or a complex emergency.
24	(b) Exports.—None of the funds appropriated by
25	this or any other Act to carry out chapter 1 of part I



1	of the Foreign Assistance Act of 1961 shall be available
2	for any testing or breeding feasibility study, variety im-
3	provement or introduction, consultancy, publication, con-
4	ference, or training in connection with the growth or pro-
5	duction in a foreign country of an agricultural commodity
6	for export which would compete with a similar commodity
7	grown or produced in the United States: $Provided$, That
8	this subsection shall not prohibit—
9	(1) activities designed to increase food security
10	in developing countries where such activities will not
11	have a significant impact on the export of agricul-
12	tural commodities of the United States;
13	(2) research activities intended primarily to
14	benefit United States producers;
15	(3) activities in a country that is eligible for as-
16	sistance from the International Development Asso-
17	ciation, is not eligible for assistance from the Inter-
18	national Bank for Reconstruction and Development,
19	and does not export on a consistent basis the agri-
20	cultural commodity with respect to which assistance
21	is furnished; or
22	(4) activities in a country the President deter-
23	mines is recovering from widespread conflict, a hu-
24	manitarian crisis, or a complex emergency.



1	(c) International Financial Institutions.—
2	The Secretary of the Treasury shall instruct the United
3	States executive directors of the international financial in-
4	stitutions to use the voice and vote of the United States
5	to oppose any assistance by such institutions, using funds
6	appropriated or made available by this Act, for the produc-
7	tion or extraction of any commodity or mineral for export,
8	if it is in surplus on world markets and if the assistance
9	will cause substantial injury to United States producers
10	of the same, similar, or competing commodity.
11	SEPARATE ACCOUNTS
12	Sec. 7026. (a) Separate Accounts for Local
13	CURRENCIES.—
14	(1) AGREEMENTS.—If assistance is furnished to
15	the government of a foreign country under chapters
16	1 and 10 of part I or chapter 4 of part II of the
17	Foreign Assistance Act of 1961 under agreements
18	which result in the generation of local currencies of
19	that country, the Administrator of the United States
20	Agency for International Development shall—
21	(A) require that local currencies be depos-
22	ited in a separate account established by that
23	government;
24	(B) enter into an agreement with that gov-
25	amment which gots forth



1	(1) the amount of the local currencies
2	to be generated; and
3	(ii) the terms and conditions under
4	which the currencies so deposited may be
5	utilized, consistent with this section; and
6	(C) establish by agreement with that gov-
7	ernment the responsibilities of USAID and that
8	government to monitor and account for deposits
9	into and disbursements from the separate ac-
0	count.
1	(2) Uses of local currencies.—As may be
2	agreed upon with the foreign government, local cur-
3	rencies deposited in a separate account pursuant to
4	subsection (a), or an equivalent amount of local cur-
5	rencies, shall be used only—
6	(A) to carry out chapter 1 or 10 of part
7	I or chapter 4 of part II of the Foreign Assist-
8	ance Act of 1961 (as the case may be), for such
9	purposes as—
20	(i) project and sector assistance activi-
21	ties; or
22	(ii) debt and deficit financing; or
23	(B) for the administrative requirements of
1	the United States Government



1	(3) Programming accountability.—USAID
2	shall take all necessary steps to ensure that the
3	equivalent of the local currencies disbursed pursuant
4	to subsection (a)(2)(A) from the separate account
5	established pursuant to subsection $(a)(1)$ are used
6	for the purposes agreed upon pursuant to subsection
7	(a)(2).
8	(4) Termination of assistance pro-
9	GRAMS.—Upon termination of assistance to a coun-
10	try under chapter 1 or 10 of part I or chapter 4 of
11	part II of the Foreign Assistance Act of 1961 (as
12	the case may be), any unencumbered balances of
13	funds which remain in a separate account estab-
14	lished pursuant to subsection (a) shall be disposed of
15	for such purposes as may be agreed to by the gov-
16	ernment of that country and the United States Gov-
17	ernment.
18	(5) Report.—The USAID Administrator shall
19	report as part of the congressional budget justifica-
20	tion submitted to the Committees on Appropriations
21	on the use of local currencies for the administrative
22	requirements of the United States Government as
23	authorized in subsection (a)(2)(B), and such report



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shall include the amount of local currency (and

1	United States dollar equivalent) used or to be used
2	for such purpose in each applicable country.
3	(b) Separate Accounts for Cash Transfers.—
4	(1) In general.—If assistance is made avail-
5	able to the government of a foreign country, under
6	chapter 1 or 10 of part I or chapter 4 of part II of
7	the Foreign Assistance Act of 1961, as cash transfer
8	assistance or as nonproject sector assistance, that
9	country shall be required to maintain such funds in
10	a separate account and not commingle with any
11	other funds.
12	(2) Applicability of other provisions of
13	LAW.—Such funds may be obligated and expended
14	notwithstanding provisions of law which are incon-
15	sistent with the nature of this assistance including
16	provisions which are referenced in the Joint Explan-
17	atory Statement of the Committee of Conference ac-
18	companying House Joint Resolution 648 (House Re-
19	port No. 98–1159).
20	(3) Notification.—At least 15 days prior to
21	obligating any such cash transfer or nonproject sec-
22	tor assistance, the President shall submit a notifica-
23	tion through the regular notification procedures of
24	the Committees on Appropriations, which shall in-



clude a detailed description of how the funds pro-

1	posed to be made available will be used, with a dis-
2	cussion of the United States interests that will be
3	served by such assistance (including, as appropriate,
4	a description of the economic policy reforms that will
5	be promoted by such assistance).
6	(4) Exemption.—Nonproject sector assistance
7	funds may be exempt from the requirements of para-
8	graph (1) only through the regular notification pro-
9	cedures of the Committees on Appropriations.
10	ELIGIBILITY FOR ASSISTANCE
11	Sec. 7027. (a) Assistance Through Nongovern-
12	MENTAL ORGANIZATIONS.—Restrictions contained in this
13	or any other Act with respect to assistance for a country
14	shall not be construed to restrict assistance in support of
15	programs of nongovernmental organizations from funds
16	appropriated by this Act to carry out the provisions of
17	chapters 1, 10, 11, and 12 of part I and chapter 4 of
18	part II of the Foreign Assistance Act of 1961 and from
19	funds appropriated under the heading "Assistance for Eu-
20	rope, Eurasia and Central Asia'': $Provided$, That before
21	using the authority of this subsection to furnish assistance
22	in support of programs of nongovernmental organizations,
23	the President shall notify the Committees on Appropria-
24	tions pursuant to the regular notification procedures, in-
25	cluding a description of the program to be assisted, the



1	assistance to be provided, and the reasons for furnishing
2	such assistance: Provided further, That nothing in this
3	subsection shall be construed to alter any existing statu-
4	tory prohibitions against abortion or involuntary steriliza-
5	tions contained in this or any other Act.
6	(b) Public Law 480.—During fiscal year 2019, re-
7	strictions contained in this or any other Act with respect
8	to assistance for a country shall not be construed to re-
9	strict assistance under the Food for Peace Act (Public
10	Law 83–480; 7 U.S.C. 1721 et seq.): $Provided$, That none
11	of the funds appropriated to carry out title I of such Act
12	and made available pursuant to this subsection may be
13	obligated or expended except as provided through the reg-
14	ular notification procedures of the Committees on Appro-
15	priations.
16	(c) Exception.—This section shall not apply—
17	(1) with respect to section 620A of the Foreign
18	Assistance Act of 1961 or any comparable provision
19	of law prohibiting assistance to countries that sup-
20	port international terrorism; or
21	(2) with respect to section 116 of the Foreign
22	Assistance Act of 1961 or any comparable provision
23	of law prohibiting assistance to the government of a



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human rights.

country that violates internationally recognized

1	LOCAL COMPETITION
2	Sec. 7028. (a) Requirements for Exceptions to
3	COMPETITION FOR LOCAL ENTITIES.—Funds appro-
4	priated by this Act that are made available to the United
5	States Agency for International Development may only be
6	made available for limited competitions through local enti-
7	ties if—
8	(1) prior to the determination to limit competi-
9	tion to local entities, USAID has—
10	(A) assessed the level of local capacity to
11	effectively implement, manage, and account for
12	programs included in such competition; and
13	(B) documented the written results of the
14	assessment and decisions made; and
15	(2) prior to making an award after limiting
16	competition to local entities—
17	(A) each successful local entity has been
18	determined to be responsible in accordance with
19	USAID guidelines; and
20	(B) effective monitoring and evaluation
21	systems are in place to ensure that award fund-
22	ing is used for its intended purposes; and
23	(3) no level of acceptable fraud is assumed.
24	(b) Report.—In addition to the requirements of sub-
25	section (a)(1) the USAID Administrator shall report to



- 1 the appropriate congressional committees not later than
- 2 45 days after the end of fiscal year 2019 on all awards
- 3 subject to limited or no competition for local entities: Pro-
- 4 vided, That such report shall be posted on the USAID
- 5 website: Provided further, That the requirements of this
- 6 subsection shall only apply to awards in excess of
- 7 \$3,000,000 and sole source awards to local entities in ex-
- 8 cess of \$2,000,000.
- 9 (c) Extension of Procurement Authority.—
- 10 Section 7077 of the Department of State, Foreign Oper-
- 11 ations, and Related Programs Appropriations Act, 2012
- 12 (division I of Public Law 112–74) shall continue in effect
- 13 during fiscal year 2019.
- 14 INTERNATIONAL FINANCIAL INSTITUTIONS
- 15 Sec. 7029. (a) Evaluations and Report.—The
- 16 Secretary of the Treasury shall instruct the United States
- 17 executive director of each international financial institu-
- 18 tion to seek to require that such institution adopts and
- 19 implements a publicly available policy, including the stra-
- 20 tegic use of peer reviews and external experts, to conduct
- 21 independent, in-depth evaluations of the effectiveness of
- 22 at least 25 percent of all loans, grants, programs, and sig-
- 23 nificant analytical non-lending activities in advancing the
- 24 institution's goals of reducing poverty and promoting equi-
- 25 table economic growth, consistent with relevant safe-



- 1 guards, to ensure that decisions to support such loans, 2 grants, programs, and activities are based on accurate
- 3 data and objective analysis: Provided, That not later than
- 4 45 days after enactment of this Act, the Secretary shall
- 5 submit a report to the Committees on Appropriations on
- 6 steps taken in fiscal year 2018 by the United States execu-
- 7 tive directors and the international financial institutions
- 8 consistent with this subsection compared to the previous
- 9 fiscal year.

10 (b) Safeguards.—

- 11 (1) The Secretary of the Treasury shall instruct 12 the United States Executive Director of the Inter-13 national Bank for Reconstruction and Development 14 and the International Development Association to 15 vote against any loan, grant, policy, or strategy if 16 such institution has adopted and is implementing 17 any social or environmental safeguard relevant to 18 such loan, grant, policy, or strategy that provides 19 less protection than World Bank safeguards in effect 20 on September 30, 2015.
 - (2) The Secretary of the Treasury should instruct the United States executive director of each international financial institution to vote against loans or other financing for projects unless such projects—
- 25 projects-

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1	(A) provide for accountability and trans-
2	parency, including the collection, verification
3	and publication of beneficial ownership informa-
4	tion related to extractive industries and on-site
5	monitoring during the life of the project;
6	(B) will be developed and carried out in ac-
7	cordance with best practices regarding environ-
8	mental conservation; cultural protection; and
9	empowerment of local populations, including
10	free, prior and informed consent of affected in-
11	digenous communities;
12	(C) do not provide incentives for, or facili-
13	tate, forced displacement; and
14	(D) do not partner with or otherwise in-
15	volve enterprises owned or controlled by the
16	armed forces.
17	(c) Compensation.—None of the funds appro-
18	priated under title V of this Act may be made as payment
19	to any international financial institution while the United
20	States executive director to such institution is com-
21	pensated by the institution at a rate which, together with
22	whatever compensation such executive director receives
23	from the United States, is in excess of the rate provided
24	for an individual occupying a position at level IV of the
25	Executive Schedule under section 5315 of title 5, United



- 1 States Code, or while any alternate United States execu-
- 2 tive director to such institution is compensated by the in-
- 3 stitution at a rate in excess of the rate provided for an
- 4 individual occupying a position at level V of the Executive
- 5 Schedule under section 5316 of title 5, United States
- 6 Code.
- 7 (d) Human Rights.—The Secretary of the Treasury
- 8 shall instruct the United States executive director of each
- 9 international financial institution to promote human
- 10 rights due diligence and risk management, as appropriate,
- 11 in connection with any loan, grant, policy, or strategy of
- 12 such institution in accordance with the criteria specified
- 13 under this subsection in Senate Report 115-282: Pro-
- 14 vided, That prior to voting on any such loan, grant, policy,
- 15 or strategy the executive director shall consult with the
- 16 Assistant Secretary for Democracy, Human Rights, and
- 17 Labor, Department of State, if the executive director has
- 18 reason to believe that such loan, grant, policy, or strategy
- 19 could result in forced displacement or other violation of
- 20 human rights.
- 21 (e) Fraud and Corruption.—The Secretary of the
- 22 Treasury shall instruct the United States executive direc-
- 23 tor of each international financial institution to promote
- 24 in loan, grant, and other financing agreements improve-
- 25 ments in borrowing countries' financial management and



- 1 judicial capacity to investigate, prosecute, and punish
- 2 fraud and corruption.
- 3 (f) Beneficial Ownership Information.—The
- 4 Secretary of the Treasury shall instruct the United States
- 5 executive director of each international financial institu-
- 6 tion to seek to require that such institution collects,
- 7 verifies, and publishes, to the maximum extent practicable,
- 8 beneficial ownership information (excluding proprietary
- 9 information) for any corporation or limited liability com-
- 10 pany, other than a publicly listed company, that receives
- 11 funds from any such financial institution: Provided, That
- 12 not later than 45 days after enactment of this Act, the
- 13 Secretary shall submit a report to the Committees on Ap-
- 14 propriations on steps taken in fiscal year 2018 by the
- 15 United States executive directors and the international fi-
- 16 nancial institutions consistent with this subsection com-
- 17 pared to the previous fiscal year.
- 18 (g) Whistleblower Protections.—The Secretary
- 19 of the Treasury shall instruct the United States executive
- 20 director of each international financial institution to seek
- 21 to require that each such institution is effectively imple-
- 22 menting and enforcing policies and procedures which re-
- 23 flect best practices for the protection of whistleblowers
- 24 from retaliation, including best practices for—



1	(1) protection against retaliation for internal
2	and lawful public disclosure;
3	(2) legal burdens of proof;
4	(3) statutes of limitation for reporting retalia-
5	tion;
6	(4) access to independent adjudicative bodies
7	including external arbitration; and
8	(5) results that eliminate the effects of prover
9	retaliation.
10	DEBT-FOR-DEVELOPMENT
11	Sec. 7030. In order to enhance the continued partici-
12	pation of nongovernmental organizations in debt-for-devel-
13	opment and debt-for-nature exchanges, a nongovern-
14	mental organization which is a grantee or contractor of
15	the United States Agency for International Development
16	may place in interest bearing accounts local currencies
17	which accrue to that organization as a result of economic
18	assistance provided under title III of this Act and, subject
19	to the regular notification procedures of the Committees
20	on Appropriations, any interest earned on such investment
21	shall be used for the purpose for which the assistance was
22	provided to that organization.
23	FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY
24	Sec. 7031. (a) Limitation on Direct Govern-
25	MENT-TO-GOVERNMENT ASSISTANCE.—



1	(1) Requirements.—Funds appropriated by
2	this Act may be made available for direct govern-
3	ment-to-government assistance only if—
4	(A)(i) each implementing agency or min-
5	istry to receive assistance has been assessed
6	and is considered to have the systems required
7	to manage such assistance and any identified
8	vulnerabilities or weaknesses of such agency or
9	ministry have been addressed;
10	(ii) the recipient agency or ministry em-
11	ploys and utilizes staff with the necessary tech-
12	nical, financial, and management capabilities;
13	(iii) the recipient agency or ministry has
14	adopted competitive procurement policies and
15	systems;
16	(iv) effective monitoring and evaluation
17	systems are in place to ensure that such assist-
18	ance is used for its intended purposes;
19	(v) no level of acceptable fraud is assumed
20	and
21	(vi) the government of the recipient coun-
22	try is taking steps to publicly disclose on an an-
23	nual basis its national budget, to include in-
24	come and expenditures;



1	(B) the recipient government is in compli-
2	ance with the principles set forth in section
3	7013 of this Act;
4	(C) the recipient agency or ministry is not
5	headed or controlled by an organization des-
6	ignated as a foreign terrorist organization
7	under section 219 of the Immigration and Na-
8	tionality Act (8 U.S.C. 1189);
9	(D) the Government of the United States
10	and the government of the recipient country
11	have agreed, in writing, on clear and achievable
12	objectives for the use of such assistance, which
13	should be made available on a cost-reimbursable
14	basis; and
15	(E) the recipient government is taking
16	steps to protect the rights of civil society, in-
17	cluding freedoms of expression, association, and
18	assembly.
19	(2) Consultation and notification.—In
20	addition to the requirements in paragraph (1), no
21	funds may be made available for direct government-
22	to-government assistance without prior consultation
23	with, and notification of, the Committees on Appro-
24	priations: Provided, That such notification shall con-
25	tain an explanation of how the proposed activity



meets the requirements of paragraph (1): Provided
further, That the requirements of this paragraph
shall only apply to direct government-to-government
assistance in excess of \$10,000,000 and all funds
available for cash transfer, budget support, and cash
payments to individuals.

- (3) Suspension of Assistance.—The Administrator of the United States Agency for International Development or the Secretary of State, as appropriate, shall suspend any direct government-to-government assistance if the Administrator or the Secretary has credible information of material misuse of such assistance, unless the Administrator or the Secretary reports to the Committees on Appropriations that it is in the national interest of the United States to continue such assistance, including a justification, or that such misuse has been appropriately addressed.
- (4) Submission of information.—The Secretary of State shall submit to the Committees on Appropriations, concurrent with the fiscal year 2020 congressional budget justification materials, amounts planned for assistance described in paragraph (1) by country, proposed funding amount, source of funds, and type of assistance.

1	(5) Report.—Not later than 90 days after en
2	actment of this Act and every 6 months thereafter
3	until September 30, 2020, the USAID Adminis
4	trator shall submit to the Committees on Appropria
5	tions a report that—
6	(A) details all assistance described in para
7	graph (1) provided during the previous 6-month
8	period by country, funding amount, source of
9	funds, and type of such assistance; and
10	(B) the type of procurement instrument of
11	mechanism utilized and whether the assistance
12	was provided on a reimbursable basis.
13	(6) Debt service payment prohibition.—
14	None of the funds made available by this Act may
15	be used by the government of any foreign country
16	for debt service payments owed by any country to
17	any international financial institution.
18	(b) National Budget and Contract Trans
19	PARENCY.—
20	(1) Minimum requirements of fiscal
21	TRANSPARENCY.—The Secretary of State shall con
22	tinue to update and strengthen the "minimum re
23	quirements of fiscal transparency" for each govern
24	ment receiving assistance appropriated by this Act
25	as identified in the report required by section



1	7031(b) of the Department of State, Foreign Oper-
2	ations, and Related Programs Appropriations Act,
3	2014 (division K of Public Law 113–76).

- (2) Definition.—For purposes of paragraph (1), "minimum requirements of fiscal transparency" are requirements consistent with those in subsection (a)(1), and the public disclosure of national budget documentation (to include receipts and expenditures by ministry) and government contracts and licenses for natural resource extraction (to include bidding and concession allocation practices).
- (3) Determination and report.—For each government identified pursuant to paragraph (1), the Secretary of State, not later than 180 days after enactment of this Act, shall make or update any determination of "significant progress" or "no significant progress" in meeting the minimum requirements of fiscal transparency, and make such determinations publicly available in an annual "Fiscal Transparency Report" to be posted on the Department of State website: *Provided*, That the Secretary shall identify the significant progress made by each such government to publicly disclose national budget documentation, contracts, and licenses which are additional to such information disclosed in previous fis-

1	cal years, and include specific recommendations of
2	short- and long-term steps such government should
3	take to improve fiscal transparency: Provided fur-
4	ther, That the annual report shall include a detailed
5	description of how funds appropriated by this Act
6	are being used to improve fiscal transparency, and
7	identify benchmarks for measuring progress.
8	(4) Assistance.—Funds appropriated under
9	title III of this Act shall be made available for pro-
10	grams and activities to assist governments identified
11	pursuant to paragraph (1) to improve budget trans-
12	parency and to support civil society organizations in
13	such countries that promote budget transparency:
14	Provided, That such sums shall be in addition to
15	funds otherwise available for such purposes: Pro-
16	vided further, That a description of the uses of such
17	funds shall be included in the annual "Fiscal Trans-
18	parency Report" required by paragraph (3).
19	(c) Anti-Kleptocracy and Human Rights.—
20	(1) Ineligibility.—
21	(A) Officials of foreign governments and
22	their immediate family members about whom
23	the Secretary of State has credible information
24	have been involved in significant corruption, in-



cluding corruption related to the extraction of

1	natural resources, or a gross violation of human
2	rights shall be ineligible for entry into the
3	United States.
4	(B) The Secretary shall also publicly or
5	privately designate or identify officials of for-
6	eign governments and their immediate family
7	members about whom the Secretary has such
8	credible information without regard to whether
9	the individual has applied for a visa.
10	(2) Exception.—Individuals shall not be ineli-
11	gible if entry into the United States would further
12	important United States law enforcement objectives
13	or is necessary to permit the United States to fulfill
14	its obligations under the United Nations Head-
15	quarters Agreement: Provided, That nothing in
16	paragraph (1) shall be construed to derogate from
17	United States Government obligations under applica-
18	ble international agreements.
19	(3) Waiver.—The Secretary may waive the ap-
20	plication of paragraph (1) if the Secretary deter-
21	mines that the waiver would serve a compelling na-
22	tional interest or that the circumstances which
23	caused the individual to be ineligible have changed
24	sufficiently.



1	(4) Report.—Not later than 6 months after
2	enactment of this Act, the Secretary of State shall
3	submit a report, including a classified annex if nec-
4	essary, to the Committees on Appropriations and the
5	Committees on the Judiciary describing the informa-
6	tion related to corruption or violation of human
7	rights concerning each of the individuals found ineli-
8	gible in the previous 12 months pursuant to para-
9	graph (1)(A) as well as the individuals who the Sec-
10	retary designated or identified pursuant to para-
11	graph (1)(B), or who would be ineligible but for the
12	application of paragraph (2), a list of any waivers
13	provided under paragraph (3), and the justification
14	for each waiver.
15	(5) Posting of Report.—Any unclassified
16	portion of the report required under paragraph (4)
17	shall be posted on the Department of State website.
18	(6) Clarification.—For purposes of para-
19	graphs (1)(B), (4), and (5), the records of the De-
20	partment of State and of diplomatic and consular of-
21	fices of the United States pertaining to the issuance
22	or refusal of visas or permits to enter the United
23	States shall not be considered confidential.
24	(d) Extraction of Natural Resources.—



(1) Assistance.—Funds appropriated by this
Act shall be made available to promote and support
transparency and accountability of expenditures and
revenues related to the extraction of natural re-
sources, including by strengthening implementation
and monitoring of the Extractive Industries Trans-
parency Initiative, implementing and enforcing sec-
tion 8204 of the Food, Conservation, and Energy
Act of 2008 (Public Law 110–246; 122 Stat. 2052)
and the amendments made by such section, and to
prevent the sale of conflict diamonds, and provide
technical assistance to promote independent audit
mechanisms and support civil society participation in
natural resource management.

(2) United States Policy.—

(A) The Secretary of the Treasury shall inform the management of the international financial institutions, and post on the Department of the Treasury website, that it is the policy of the United States to vote against any assistance by such institutions (including any loan, credit, grant, or guarantee) to any country for the extraction and export of a natural resource if the government of such country has in place laws, regulations, or procedures to pre-

1	vent or limit the public disclosure of company
2	payments as required by United States law, and
3	unless such government has adopted laws, regu-
4	lations, or procedures in the sector in which as-
5	sistance is being considered for—
6	(i) accurately accounting for and pub-
7	lic disclosure of payments to the host gov-
8	ernment by companies involved in the ex-
9	traction and export of natural resources;
10	(ii) the independent auditing of ac-
11	counts receiving such payments and public
12	disclosure of the findings of such audits;
13	and
14	(iii) public disclosure of such docu-
15	ments as Host Government Agreements,
16	Concession Agreements, and bidding docu-
17	ments, allowing in any such dissemination
18	or disclosure for the redaction of, or excep-
19	tions for, information that is commercially
20	proprietary or that would create competi-
21	tive disadvantage.
22	(B) The requirements of subparagraph (A)
23	shall not apply to assistance for the purpose of
24	building the capacity of such government to
25	meet the requirements of this subparagraph



1	(e) Foreign Assistance Website.—Funds appro-
2	priated by this Act under titles I and II, and funds made
3	available for any independent agency in title III, as appro-
4	priate, shall be made available to support the provision
5	of additional information on United States Government
6	foreign assistance on the Department of State foreign as-
7	sistance website: Provided, That all Federal agencies fund-
8	ed under this Act shall provide such information on for-
9	eign assistance, upon request, to the Department of State.
10	DEMOCRACY PROGRAMS
11	Sec. 7032. (a) Funding.—
12	(1) In general.—Of the funds appropriated
13	by this Act under the headings "Development As-
14	sistance", "Economic Support Fund", "Democracy
15	Fund", "Assistance for Europe, Eurasia and Cen-
16	tral Asia", and "International Narcotics Control and
17	Law Enforcement", not less than \$2,400,000,000
18	shall be made available for democracy programs.
19	(2) Programs.—Of the funds made available
20	for democracy programs under the headings "Eco-
21	nomic Support Fund" and "Assistance for Europe,
22	Eurasia and Central Asia" pursuant to paragraph
23	(1), not less than \$89,540,000 shall be made avail-
24	able to the Bureau of Democracy, Human Rights,
25	and Labor Department of State at not less than



	100
1	the amounts specified for certain countries and re-
2	gional programs designated in the table under this
3	section in the explanatory statement described in
4	section 4 (in the matter preceding division A of this
5	consolidated Act).
6	(b) Authorities.—
7	(1) Funds made available by this Act for de-
8	mocracy programs pursuant to subsection (a) and
9	under the heading "National Endowment for De-
10	mocracy" may be made available notwithstanding
11	any other provision of law, and with regard to the
12	National Endowment for Democracy (NED), any
13	regulation.
14	(2) Funds made available by this Act for the
15	NED are made available pursuant to the authority
16	of the National Endowment for Democracy Act (title
17	V of Public Law 98–164), including all decisions re-
18	garding the selection of beneficiaries.
19	(c) Definition of Democracy Programs.—For
20	purposes of funds appropriated by this Act, the term "de-
21	mocracy programs" means programs that support good
22	governance, credible and competitive elections, freedom of
23	expression, association, assembly, and religion, human
24	rights, labor rights, independent media, and the rule of



25 law, and that otherwise strengthen the capacity of demo-

- 1 cratic political parties, governments, nongovernmental or-
- 2 ganizations and institutions, and citizens to support the
- 3 development of democratic states and institutions that are
- 4 responsive and accountable to citizens.
- 5 (d) Program Prioritization.—Funds made avail-
- 6 able pursuant to this section that are made available for
- 7 programs to strengthen government institutions shall be
- 8 prioritized for those institutions that demonstrate a com-
- 9 mitment to democracy and the rule of law, as determined
- 10 by the Secretary of State or the Administrator of the
- 11 United States Agency for International Development, as
- 12 appropriate.
- 13 (e) Restriction on Prior Approval.—With re-
- 14 spect to the provision of assistance for democracy pro-
- 15 grams in this Act, the organizations implementing such
- 16 assistance, the specific nature of that assistance, and the
- 17 participants in such programs shall not be subject to the
- 18 prior approval by the government of any foreign country:
- 19 Provided, That the Secretary of State, in coordination
- 20 with the USAID Administrator, shall report to the Com-
- 21 mittees on Appropriations, not later than 120 days after
- 22 enactment of this Act, detailing steps taken by the Depart-
- 23 ment of State and USAID to comply with the require-
- 24 ments of this subsection.



- 1 (f) Continuation of Current Practices.—
- 2 USAID shall continue to implement civil society and polit-
- 3 ical competition and consensus building programs abroad
- 4 with funds appropriated by this Act in a manner that rec-
- 5 ognizes the unique benefits of grants and cooperative
- 6 agreements in implementing such programs: Provided,
- 7 That nothing in this paragraph shall be construed to af-
- 8 fect the ability of any entity, including United States small
- 9 businesses, from competing for proposals for USAID-
- 10 funded civil society and political competition and con-
- 11 sensus building programs.
- 12 (g) Informing the National Endowment for
- 13 Democracy.—The Assistant Secretary for Democracy,
- 14 Human Rights, and Labor, Department of State, and the
- 15 Assistant Administrator for Democracy, Conflict, and Hu-
- 16 manitarian Assistance, USAID, shall regularly inform the
- 17 National Endowment for Democracy of democracy pro-
- 18 grams that are planned and supported by funds made
- 19 available by this Act and prior Acts making appropriations
- 20 for the Department of State, foreign operations, and re-
- 21 lated programs.
- 22 (h) Protection of Civil Society Activists and
- 23 JOURNALISTS.—Of the funds appropriated by this Act
- 24 under the headings "Economic Support Fund" and "De-
- 25 mocracy Fund", not less than \$15,000,000 shall be made



1	available to support and protect civil society activists and
2	journalists who have been threatened, harassed, or at-
3	tacked, consistent with the action plan submitted pursuant
4	to, and on the same terms and conditions of, section
5	7032(i) of the Department of State, Foreign Operations
6	and Related Programs Appropriations Act, 2018 (division
7	K of Public Law 115–141).
8	INTERNATIONAL RELIGIOUS FREEDOM
9	Sec. 7033. (a) International Religious Free-
10	DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-
11	GIOUS FREEDOM.—
12	(1) Operations.—Funds appropriated by this
13	Act under the heading "Diplomatic Programs" shall
14	be made available for the Office of International Re-
15	ligious Freedom, Bureau of Democracy, Human
16	Rights, and Labor, Department of State, and the
17	Special Envoy to Promote Religious Freedom of Re-
18	ligious Minorities in the Near East and South Cen-
19	tral Asia, as authorized in the Near East and South
20	Central Asia Religious Freedom Act of 2014 (Public
21	Law 113-161), including for support staff at not
22	less than the amounts specified for such offices in



24

25

ceding division A of this consolidated Act).

the table under such heading in the explanatory

statement described in section 4 (in the matter pre-

1	(2) Curriculum.—Funds appropriated under
2	the heading "Diplomatic Programs" and designated
3	for the Office of International Religious Freedom
4	shall be made available for the development and im-
5	plementation of an international religious freedom
6	curriculum in accordance with section 708(a)(2) of
7	the Foreign Service Act of 1980 (22 U.S.C.
8	4028(a)(2)).
9	(b) Assistance.—
10	(1) International religious freedom pro-
11	GRAMS.—Of the funds appropriated by this Act
12	under the heading "Democracy Fund" and available
13	for the Human Rights and Democracy Fund, not
14	less than \$10,000,000 shall be made available for
15	international religious freedom programs: Provided
16	That the Ambassador-at-Large for International Re-
17	ligious Freedom shall consult with the Committees
18	on Appropriations on the uses of such funds.
19	(2) Protection and investigation pro-
20	GRAMS.—Of the funds appropriated by this Act
21	under the heading "Economic Support Fund", not
22	less than \$10,000,000 shall be made available for
23	programs to protect vulnerable and persecuted reli-
24	gious minorities: Provided, That a portion of such



25

funds shall be made available for programs to inves-

1	tigate the persecution of such minorities by govern-
2	ments and non-state actors and for the public dis-
3	semination of information collected on such persecu-
4	tion, including on the Department of State website
5	(3) Humanitarian programs.—Funds appro-
6	priated by this Act under the headings "Inter-
7	national Disaster Assistance" and "Migration and
8	Refugee Assistance" shall be made available for hu-
9	manitarian assistance for vulnerable and persecuted
10	religious minorities, including victims of genocide
11	designated by the Secretary of State and other
12	groups that have suffered crimes against humanity
13	and ethnic cleansing, to—
14	(A) facilitate the implementation of an im-
15	mediate, coordinated, and sustained response to
16	provide humanitarian assistance;
17	(B) enhance protection of conflict victims
18	including those facing a dire humanitarian cri-
19	sis and severe persecution because of their faith
20	or ethnicity;
21	(C) improve access to secure locations for
22	obtaining humanitarian and resettlement serv-
23	ices; and



1	(D) build resilience and help reestablish
2	livelihoods for displaced and persecuted persons
3	in their communities of origin.
4	(4) Transitional Justice, Reconciliation,
5	AND REINTEGRATION PROGRAMS.—Of the funds ap-
6	propriated by this Act that are made available for
7	the Relief and Recovery Fund, not less than
8	\$5,000,000 shall be made available to support tran-
9	sitional justice, reconciliation, and reintegration pro-
10	grams for vulnerable and persecuted religious mi-
11	norities, including in the Middle East and North Af-
12	rica regions: Provided, That such funds shall be
13	matched, to the maximum extent practicable, from
14	sources other than the United States Government.
15	(5) Responsibility for funds.—Funds made
16	available by paragraphs (1) and (2) shall be the re-
17	sponsibility of the Ambassador-at-Large for Inter-
18	national Religious Freedom, in consultation with
19	other relevant United States Government officials.
20	(c) International Broadcasting.—Funds appro-
21	priated by this Act under the heading "Broadcasting
22	Board of Governors, International Broadcasting Oper-
23	ations" shall be made available for programs related to
24	international religious freedom, including reporting on the
25	condition of vulnerable and persecuted religious groups.



1	(d) Funding Clarification.—
2	(1) Funds made available pursuant to sub-
3	section (b) are in addition to amounts otherwise
4	made available for such purposes.
5	(2) Funds appropriated by this Act and prior
6	Acts making appropriations for the Department of
7	State, foreign operations, and related programs
8	under the heading "Economic Support Fund" may
9	be made available notwithstanding any other provi-
10	sion of law for assistance for ethnic and religious
11	minorities in Iraq and Syria.
12	SPECIAL PROVISIONS
13	Sec. 7034. (a) Victims of War, Displaced Child
14	DREN, AND DISPLACED BURMESE.—Funds appropriated
15	in titles III and VI of this Act that are made available
16	for victims of war, displaced children, displaced Burmese
17	and to combat trafficking in persons and assist victims
18	of such trafficking, may be made available notwith
19	standing any other provision of law.
20	(b) Forensic Assistance.—
21	(1) Of the funds appropriated by this Act under
22	the heading "Economic Support Fund", not less
23	than \$10,000,000 shall be made available for foren-
24	sic anthropology assistance related to the exhuma-
25	tion and identification of victims of war crimes



1	crimes against humanity, and genocide, which shall
2	be administered by the Assistant Secretary for De-
3	mocracy, Human Rights, and Labor, Department of
4	State: Provided, That such funds shall be in addition
5	to funds made available by this Act and prior Acts
6	making appropriations for the Department of State,
7	foreign operations, and related programs for assist-
8	ance for countries.
9	(2) Of the funds appropriated by this Act under
10	the heading "International Narcotics Control and
11	Law Enforcement", not less than \$8,000,000 shall
12	be made available for DNA forensic technology pro-
13	grams to combat human trafficking in Central
14	America and Mexico.
15	(c) Atrocities Prevention.—Of the funds appro-
16	priated by this Act under the headings "Economic Sup-
17	port Fund" and "International Narcotics Control and
18	Law Enforcement", not less than \$5,000,000 shall be
19	made available for programs to prevent atrocities, includ-
20	ing to implement recommendations of the Atrocities Pre-
21	vention Board, or any successor entity: Provided, That the
22	Under Secretary for Civilian Security, Democracy, and
23	Human Rights, Department of State, shall be responsible
24	for providing the strategic policy direction for, and policy
25	oversight of, funds made available pursuant to this sub-



1	section to the Bureaus of International Narcotics and Law
2	Enforcement Affairs and Democracy, Human Rights, and
3	Labor, Department of State: Provided further, That funds
4	made available pursuant to this subsection are in addition
5	to amounts otherwise made available for such purposes
6	Provided further, That such funds shall be subject to the
7	regular notification procedures of the Committees on Ap-
8	propriations.
9	(d) World Food Programme.—Funds managed by
10	the Bureau for Democracy, Conflict, and Humanitarian
11	Assistance, United States Agency for International Devel-
12	opment, from this or any other Act, may be made available
13	as a general contribution to the World Food Programme
14	notwithstanding any other provision of law.
15	(e) DIRECTIVES AND AUTHORITIES.—
16	(1) Research and training.—Funds appro-
17	priated by this Act under the heading "Assistance
18	for Europe, Eurasia and Central Asia" shall be
19	made available to carry out the Program for Re-
20	search and Training on Eastern Europe and the
21	Independent States of the Former Soviet Union as
22	authorized by the Soviet-Eastern European Research
23	and Training Act of 1983 (22 U.S.C. 4501 et seq.)
24	(2) Genocide victims memorial sites.—



Funds appropriated by this Act and prior Acts mak-

1	ing appropriations for the Department of State, for-
2	eign operations, and related programs under the
3	headings "Economic Support Fund" and "Assist-
4	ance for Europe, Eurasia and Central Asia" may be
5	made available as contributions to establish and
6	maintain memorial sites of genocide, subject to the
7	regular notification procedures of the Committees on
8	Appropriations.

- (3) Additional authorities.—Of the amounts made available by title I of this Act under the heading "Diplomatic Programs", up to \$500,000 may be made available for grants pursuant to section 504 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656d), including to facilitate collaboration with indigenous communities, and up to \$1,000,000 may be made available for grants to carry out the activities of the Cultural Antiquities Task Force.
- (4) Innovation.—The USAID Administrator may use funds appropriated by this Act under title III to make innovation incentive awards: *Provided*, That each individual award may not exceed \$100,000: *Provided further*, That no more than 10 such awards may be made during fiscal year 2019: *Provided further*, That for purposes of this para-

1	graph the term "innovation incentive award" means
2	the provision of funding on a competitive basis
3	that—
4	(A) encourages and rewards the develop-
5	ment of solutions for a particular, well-defined
6	problem related to the alleviation of poverty; or
7	(B) helps identify and promote a broad
8	range of ideas and practices facilitating further
9	development of an idea or practice by third par-
10	ties.
11	(5) Exchange visitor program.—None of
12	the funds made available by this Act may be used
13	to modify the Exchange Visitor Program adminis-
14	tered by the Department of State to implement the
15	Mutual Educational and Cultural Exchange Act of
16	1961, as amended, (Public Law 87–256; 22 U.S.C.
17	2451 et seq.), except through the formal rulemaking
18	process pursuant to the Administrative Procedure
19	Act and notwithstanding the exceptions to such rule-
20	making process in such Act: Provided, That funds
21	made available for such purpose shall only be made
22	available after consultation with, and subject to the
23	regular notification procedures of, the Committees
24	on Appropriations, regarding how any proposed
25	modification would affect the public diplomacy goals



1	of, and the estimated economic impact on, the
2	United States.
3	(6) Report.—The report required by section
4	502(d) of the Intelligence Authorization Act for Fis-
5	cal Year 2017 (division N of Public Law 115–31; 22 $$
6	U.S.C. 254a note) shall be provided to the Commit-
7	tees on Appropriations.
8	(7) PRIVATE SECTOR PARTNERSHIPS.—Of the
9	funds appropriated by this Act under the headings
10	"Development Assistance" and "Economic Support
11	Fund" that are made available for private sector
12	partnerships, up to \$50,000,000 may remain avail-
13	able until September 30, 2021: Provided, That funds
14	made available pursuant to this paragraph may only
15	be made available following prior consultation with
16	the appropriate congressional committees, and the
17	regular notification procedures of the Committees on
18	Appropriations.
19	(f) Partner Vetting.—Prior to initiating a partner
20	vetting program, or making significant changes to the
21	scope of an existing partner vetting program, the Sec-
22	retary of State and USAID Administrator, as appropriate,
23	shall consult with the Committees on Appropriations.
24	(g) Contingencies.—During fiscal year 2019, the
25	President may use up to \$125,000,000 under the author-



- 1 ity of section 451 of the Foreign Assistance Act of 1961,
- 2 notwithstanding any other provision of law.
- 3 (h) International Child Abductions.—The Sec-
- 4 retary of State should withhold funds appropriated under
- 5 title III of this Act for assistance for the central govern-
- 6 ment of any country that is not taking appropriate steps
- 7 to comply with the Convention on the Civil Aspects of
- 8 International Child Abductions, done at the Hague on Oc-
- 9 tober 25, 1980: Provided, That the Secretary shall report
- 10 to the Committees on Appropriations within 15 days of
- 11 withholding funds under this subsection.
- 12 (i) Cultural Preservation Project Deter-
- 13 MINATION.—None of the funds appropriated in titles I and
- 14 III of this Act may be used for the preservation of reli-
- 15 gious sites unless the Secretary of State or the USAID
- 16 Administrator, as appropriate, determines and reports to
- 17 the Committees on Appropriations that such sites are his-
- 18 torically, artistically, or culturally significant, that the
- 19 purpose of the project is neither to advance nor to inhibit
- 20 the free exercise of religion, and that the project is in the
- 21 national interest of the United States.
- 22 (j) Transfer of Funds for Extraordinary Pro-
- 23 TECTION.—The Secretary of State may transfer to, and
- 24 merge with, funds under the heading "Protection of For-
- 25 eign Missions and Officials" unobligated balances of ex-



- 1 pired funds appropriated under the heading "Diplomatic
- 2 Programs" for fiscal year 2019, except for funds des-
- 3 ignated for Overseas Contingency Operations/Global War
- 4 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
- 5 Balanced Budget and Emergency Deficit Control Act of
- 6 1985, at no later than the end of the fifth fiscal year after
- 7 the last fiscal year for which such funds are available for
- 8 the purposes for which appropriated: Provided, That not
- 9 more than \$50,000,000 may be transferred.
- 10 (k) Authority to Counter Extremism.—Funds
- 11 made available by this Act under the heading "Economic
- 12 Support Fund" to counter extremism may be made avail-
- 13 able notwithstanding any other provision of law restricting
- 14 assistance to foreign countries, except sections 502B and
- 15 620A of the Foreign Assistance Act of 1961: Provided,
- 16 That the use of the authority of this subsection shall be
- 17 subject to prior consultation with the appropriate congres-
- 18 sional committees, and the regular notification procedures
- 19 of the Committees on Appropriations.
- 20 (1) Protections and Remedies for Employees
- 21 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
- 22 Zations.—Section 7034(k) of the Department of State,
- 23 Foreign Operations, and Related Programs Appropria-
- 24 tions Act, 2015 (division J of Public Law 113-235) shall
- 25 continue in effect during fiscal year 2019.



1	(m) EXTENSION OF AUTHORITIES.—
2	(1) Passport fees.—Section 1(b)(2) of the
3	Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)
4	shall be applied by substituting "September 30
5	2019" for "September 30, 2010".
6	(2) Incentives for critical posts.—The
7	authority contained in section 1115(d) of the Sup
8	plemental Appropriations Act, 2009 (Public Lav
9	111–32) shall remain in effect through September
0	30, 2019.
1	(3) USAID CIVIL SERVICE ANNUITANT WAIV
2	ER.—Section 625(j)(1) of the Foreign Assistance
3	Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
4	by substituting "September 30, 2019" for "Octobe
5	1, 2010" in subparagraph (B).
6	(4) Overseas pay comparability and limi
7	TATION.—
8	(A) Subject to the limitation described in
9	subparagraph (B), the authority provided by
20	section 1113 of the Supplemental Appropria
21	tions Act, 2009 (Public Law 111–32) shall re
22	main in effect through September 30, 2019.
23	(B) The authority described in subpara
24	graph (A) may not be used to pay an eligible
25	member of the Foreign Service (as defined in



1	section 1113(b) of the Supplemental Appropria-
2	tions Act, 2009 (Public Law 111–32)) a local-
3	ity-based comparability payment (stated as a
4	percentage) that exceeds two-thirds of the
5	amount of the locality-based comparability pay-
6	ment (stated as a percentage) that would be
7	payable to such member under section 5304 of
8	title 5, United States Code, if such member's
9	official duty station were in the District of Co-
10	lumbia.
11	(5) Categorical eligibility.—The Foreign
12	Operations, Export Financing, and Related Pro-
13	grams Appropriations Act, 1990 (Public Law 101-
14	167) is amended—
15	(A) in section 599D (8 U.S.C. 1157
16	note)—
17	(i) in subsection (b)(3), by striking
18	"and 2018" and inserting "2018, and
19	2019"; and
20	(ii) in subsection (e), by striking
21	"2018" each place it appears and inserting
22	"2019"; and
23	(B) in section 599E (8 U.S.C. 1255 note)
24	in subsection (b)(2), by striking "2018" and in-
25	serting "2019"



1	(6) Inspector general annuitant waive
2	ER.—The authorities provided in section 1015(b) or
3	the Supplemental Appropriations Act, 2010 (Public
4	Law 111–212) shall remain in effect through Sep
5	tember 30, 2019.
6	(7) Accountability review boards.—The
7	authority provided by section 301(a)(3) of the Omni
8	bus Diplomatic Security and Antiterrorism Act of
9	1986 (22 U.S.C. 4831(a)(3)) shall remain in effect
10	for facilities in Afghanistan through September 30
11	2019, except that the notification and reporting re-
12	quirements contained in such section shall include
13	the Committees on Appropriations.
14	(8) Special inspector general for af-
15	GHANISTAN RECONSTRUCTION COMPETITIVE STA
16	TUS.—Notwithstanding any other provision of law
17	any employee of the Special Inspector General for
18	Afghanistan Reconstruction (SIGAR) who completes
19	at least 12 months of continuous service after the
20	date of enactment of this Act or who is employed or
21	the date on which SIGAR terminates, whichever oc
22	curs first, shall acquire competitive status for ap-
23	pointment to any position in the competitive service
24	for which the employee possesses the required quali-
25	fications.



1	(9) Transfer of Balances.—Section 7081(h)
2	of the Department of State, Foreign Operations, and
3	Related Programs Appropriations Act, 2017 (divi-
4	sion J of Public Law 115–31) shall continue in ef
5	fect during fiscal year 2019.
6	(10) Department of state inspector gen-
7	ERAL WAIVER AUTHORITY.—The Inspector Genera
8	of the Department of State may waive the provisions
9	of subsections (a) through (d) of section 824 of the
10	Foreign Service Act of 1980 (22 U.S.C. 4064) on a
11	case-by-case basis for an annuitant reemployed by
12	the Inspector General on a temporary basis, subject
13	to the same constraints and in the same manner by
14	which the Secretary of State may exercise such waive
15	er authority pursuant to subsection (g) of such sec
16	tion.
17	(11) Extension of Loan guarantees to
18	ISRAEL.—Chapter 5 of title I of the Emergency
19	Wartime Supplemental Appropriations Act, 2003
20	(Public Law 108–11; 117 Stat. 576) is amended
21	under the heading "Loan Guarantees to Israel"—
22	(A) in the matter preceding the first pro-
23	viso, by striking "September 30, 2019" and in
24	serting "September 30, 2023"; and



1	(B) in the second proviso, by striking
2	"September 30, 2019" and inserting "Sep-
3	tember 30, 2023".
4	(n) Monitoring and Evaluation.—Funds appro-
5	priated by this Act that are available for monitoring and
6	evaluation of assistance under the headings "Development
7	Assistance", "International Disaster Assistance" and
8	"Migration and Refugee Assistance" shall, as appropriate,
9	be made available for the regular collection of feedback
10	obtained directly from beneficiaries on the quality and rel-
11	evance of such assistance: Provided, That the Department
12	of State and USAID shall establish procedures for imple-
13	menting partners that receive funds under such headings
14	for regularly collecting and responding to such feedback,
15	informing the Department of State and USAID of such
16	procedures, and reporting to the Department of State and
17	USAID on actions taken in response to the feedback re-
18	ceived: Provided further, That the Department of State
19	and USAID shall regularly conduct oversight to ensure
20	that such feedback is regularly collected and used by im-
21	plementing partners to maximize the cost-effectiveness
22	and utility of such assistance.
23	(o) HIV/AIDS WORKING CAPITAL FUND.—Funds
24	available in the HIV/AIDS Working Capital Fund estab-
25	lished pursuant to section 525(b)(1) of the Foreign Oper-



1	ations, Export Financing, and Related Programs Appro-
2	priations Act, 2005 (Public Law $108-447$) may be made
3	available for pharmaceuticals and other products for child
4	survival, malaria, and tuberculosis to the same extent as
5	HIV/AIDS pharmaceuticals and other products, subject to
6	the terms and conditions in such section: $Provided$, That
7	the authority in section $525(b)(5)$ of the Foreign Oper-
8	ations, Export Financing, and Related Programs Appro-
9	priation Act, 2005 (Public Law $108-447$) shall be exer-
10	cised by the Assistant Administrator for Global Health,
11	USAID, with respect to funds deposited for such non-
12	HIV/AIDS pharmaceuticals and other products, and shall
13	be subject to the regular notification procedures of the
14	Committees on Appropriations: $Provided\ further,\ That\ the$
15	Secretary of State shall include in the congressional budg-
16	et justification an accounting of budgetary resources, dis-
17	bursements, balances, and reimbursements related to such
18	fund.
19	(p) Loans, Consultation, and Notification.—
20	(1) Loan guarantees.—Funds appropriated
21	under the headings "Economic Support Fund" and
22	"Assistance for Europe, Eurasia and Central Asia"
23	by this Act and prior Acts making appropriations
24	for the Department of State, foreign operations, and
25	related programs may be made available for the



1	costs, as defined in section 502 of the Congressional
2	Budget Act of 1974, of loan guarantees for Egypt,
3	Jordan, Tunisia, and Ukraine, which are authorized
4	to be provided: Provided, That amounts made avail-
5	able under this paragraph for the costs of such
6	guarantees shall not be considered assistance for the
7	purposes of provisions of law limiting assistance to
8	a country.
9	(2) Designation requirement.—Funds
10	made available pursuant to paragraph (1) from prior
11	Acts making appropriations for the Department of

made available pursuant to paragraph (1) from prior Acts making appropriations for the Department of State, foreign operations, and related programs that were previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of such Act.

(3) Consultation and notification.—
Funds made available pursuant to the authorities of
this subsection shall be subject to prior consultation
with the appropriate congressional committees, and

1	subject to the regular notification procedures of the
2	Committees on Appropriations.
3	(q) Local Works.—
4	(1) Of the funds appropriated by this Act under
5	the headings "Development Assistance", "Economic
6	Support Fund", and "Assistance for Europe, Eur-
7	asia and Central Asia", not less than \$50,000,000
8	shall be made available for Local Works pursuant to
9	section 7080 of the Department of State, Foreign
10	Operations, and Related Programs Appropriations
11	Act, 2015 (division J of Public Law 113–235),
12	which may remain available until September 30,
13	2023.
14	(2) For the purposes of section 7080 of the De-
15	partment of State, Foreign Operations, and Related
16	Programs Appropriations Act, 2015 (division J of
17	Public Law 113–235), "eligible entities" shall be de-
18	fined as small local, international, and United
19	States-based nongovernmental organizations, edu-
20	cational institutions, and other small entities that
21	have received less than a total of \$5,000,000 from
22	USAID over the previous 5 fiscal years: Provided,
23	That departments or centers of such educational in-
24	stitutions may be considered individually in deter-
25	mining such eligibility.



X	The state of the s
1	Definitions.—
1 1.1	THE RESTRICTIONS —

- (1) Appropriate congressional committees.—Unless otherwise defined in this Act, for purposes of this Act the term "appropriate congressional committees" means the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives.
 - (2) Funds appropriated by this act and prior acts.—Unless otherwise defined in this act, for purposes of this act the term "funds appropriated by this act and prior acts making appropriations for the Department of State, foreign operations, and related programs" means funds that remain available for obligation, and have not expired.
 - (3) International financial institutions.—In this Act "international financial institutions" means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the International Fund for Agricultural Development, the Asian Development Fund, the Inter-American Investment Corporation, the North American Development



1	Bank, the European Bank for Reconstruction and
2	Development, the African Development Bank, the
3	African Development Fund, and the Multilateral In-
4	vestment Guarantee Agency.
5	(4) Southern Kordofan Reference.—Any
6	reference to Southern Kordofan in this or any other
7	Act making appropriations for the Department of
8	State, foreign operations, and related programs shall
9	be deemed to include portions of Western Kordofar
10	that were previously part of Southern Kordofan
11	prior to the 2013 division of Southern Kordofan.
12	(5) USAID.—In this Act, the term "USAID"
13	means the United States Agency for Internationa
14	Development.
15	(6) Spend plan.—In this Act, the term
16	"spend plan" means a plan for the uses of funds ap-
17	propriated for a particular entity, country, program
18	purpose, or account and which shall include, at a
19	minimum, a description of—
20	(A) realistic and sustainable goals, criteria
21	for measuring progress, and a timeline for
22	achieving such goals;
23	(B) amounts and sources of funds by ac
24	count.



1	(C) how such funds will complement other
2	ongoing or planned programs; and
3	(D) implementing partners, to the max-
4	imum extent practicable.
5	(7) United states agency for global
6	MEDIA.—References to the "Broadcasting Board of
7	Governors, International Broadcasting Operations"
8	account in any provision of law shall be construed to
9	include the "United States Agency for Global
10	Media" account in Acts making appropriations for
11	the Department of State, foreign operations, and re-
12	lated programs: Provided, That references to the
13	"Broadcasting Board of Governors" or "BBG" in
14	this Act and prior Acts making appropriations for
15	the Department of State, foreign operations, and re-
16	lated programs shall be construed to include the
17	"United States Agency for Global Media" or
18	"USAGM".
19	ARAB LEAGUE BOYCOTT OF ISRAEL
20	Sec. 7035. It is the sense of the Congress that—
21	(1) the Arab League boycott of Israel, and the
22	secondary boycott of American firms that have com-
23	mercial ties with Israel, is an impediment to peace
24	in the region and to United States investment and
25	trade in the Middle East and North Africa:



1	(2) the Arab League boycott, which was regret-
2	tably reinstated in 1997, should be immediately and
3	publicly terminated, and the Central Office for the
4	Boycott of Israel immediately disbanded;
5	(3) all Arab League states should normalize re-
6	lations with their neighbor Israel;
7	(4) the President and the Secretary of State
8	should continue to vigorously oppose the Arab
9	League boycott of Israel and find concrete steps to
10	demonstrate that opposition by, for example, taking
11	into consideration the participation of any recipient
12	country in the boycott when determining to sell
13	weapons to said country; and
14	(5) the President should report to Congress an-
15	nually on specific steps being taken by the United
16	States to encourage Arab League states to normalize
17	their relations with Israel to bring about the termi-
18	nation of the Arab League boycott of Israel, includ-
19	ing those to encourage allies and trading partners of
20	the United States to enact laws prohibiting busi-
21	nesses from complying with the boycott and penal-
22	izing businesses that do comply.
23	PALESTINIAN STATEHOOD
24	Sec. 7036. (a) Limitation on Assistance.—None
25	of the funds appropriated under titles III through VI of



1	this Act may be provided to support a Palestinian state
2	unless the Secretary of State determines and certifies to
3	the appropriate congressional committees that—
4	(1) the governing entity of a new Palestinian
5	state—
6	(A) has demonstrated a firm commitment
7	to peaceful co-existence with the State of Israel;
8	and
9	(B) is taking appropriate measures to
10	counter terrorism and terrorist financing in the
11	West Bank and Gaza, including the dismantling
12	of terrorist infrastructures, and is cooperating
13	with appropriate Israeli and other appropriate
14	security organizations; and
15	(2) the Palestinian Authority (or the governing
16	entity of a new Palestinian state) is working with
17	other countries in the region to vigorously pursue ef-
18	forts to establish a just, lasting, and comprehensive
19	peace in the Middle East that will enable Israel and
20	an independent Palestinian state to exist within the
21	context of full and normal relationships, which
22	should include—
23	(A) termination of all claims or states of
24	belligerency;



1	(B) respect for and acknowledgment of the
2	sovereignty, territorial integrity, and political
3	independence of every state in the area through
4	measures including the establishment of demili-
5	tarized zones;
6	(C) their right to live in peace within se-
7	cure and recognized boundaries free from
8	threats or acts of force;
9	(D) freedom of navigation through inter-
10	national waterways in the area; and
11	(E) a framework for achieving a just set-
12	tlement of the refugee problem.
13	(b) Sense of Congress.—It is the sense of Con-
14	gress that the governing entity should enact a constitution
15	assuring the rule of law, an independent judiciary, and
16	respect for human rights for its citizens, and should enact
17	other laws and regulations assuring transparent and ac-
18	countable governance.
19	(c) Waiver.—The President may waive subsection
20	(a) if the President determines that it is important to the
21	national security interest of the United States to do so.
22	(d) Exemption.—The restriction in subsection (a)
23	shall not apply to assistance intended to help reform the
24	Palestinian Authority and affiliated institutions, or the
25	governing entity, in order to help meet the requirements



1	of subsection (a), consistent with the provisions of section
2	7040 of this Act ("Limitation on Assistance for the Pales-
3	tinian Authority").
4	RESTRICTIONS CONCERNING THE PALESTINIAN
5	AUTHORITY
6	Sec. 7037. None of the funds appropriated under ti-
7	tles II through VI of this Act may be obligated or ex-
8	pended to create in any part of Jerusalem a new office
9	of any department or agency of the United States Govern-
10	ment for the purpose of conducting official United States
11	Government business with the Palestinian Authority over
12	Gaza and Jericho or any successor Palestinian governing
13	entity provided for in the Israel-PLO Declaration of Prin-
14	ciples: Provided, That this restriction shall not apply to
15	the acquisition of additional space for the existing Con-
16	sulate General in Jerusalem: Provided further, That meet-
17	ings between officers and employees of the United States
18	and officials of the Palestinian Authority, or any successor
19	Palestinian governing entity provided for in the Israel-
20	PLO Declaration of Principles, for the purpose of con-
21	ducting official United States Government business with
22	such authority should continue to take place in locations
23	other than Jerusalem: Provided further, That as has been
24	true in the past, officers and employees of the United
25	States Government may continue to meet in Jerusalem on



- 1 other subjects with Palestinians (including those who now
- 2 occupy positions in the Palestinian Authority), have social
- 3 contacts, and have incidental discussions.
- 4 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
- 5 Broadcasting corporation
- 6 Sec. 7038. None of the funds appropriated or other-
- 7 wise made available by this Act may be used to provide
- 8 equipment, technical support, consulting services, or any
- 9 other form of assistance to the Palestinian Broadcasting
- 10 Corporation.
- 11 ASSISTANCE FOR THE WEST BANK AND GAZA
- Sec. 7039. (a) Oversight.—For fiscal year 2019,
- 13 30 days prior to the initial obligation of funds for the bi-
- 14 lateral West Bank and Gaza Program, the Secretary of
- 15 State shall certify to the Committees on Appropriations
- 16 that procedures have been established to assure the Comp-
- 17 troller General of the United States will have access to
- 18 appropriate United States financial information in order
- 19 to review the uses of United States assistance for the Pro-
- 20 gram funded under the heading "Economic Support
- 21 Fund" for the West Bank and Gaza.
- 22 (b) Vetting.—Prior to the obligation of funds ap-
- 23 propriated by this Act under the heading "Economic Sup-
- 24 port Fund" for assistance for the West Bank and Gaza,
- 25 the Secretary of State shall take all appropriate steps to



1	ensure that such assistance is not provided to or through
2	any individual, private or government entity, or edu-
3	cational institution that the Secretary knows or has reason
4	to believe advocates, plans, sponsors, engages in, or has
5	engaged in, terrorist activity nor, with respect to private
6	entities or educational institutions, those that have as a
7	principal officer of the entity's governing board or gov-
8	erning board of trustees any individual that has been de-
9	termined to be involved in, or advocating terrorist activity
10	or determined to be a member of a designated foreign ter-
11	rorist organization: Provided, That the Secretary of State
12	shall, as appropriate, establish procedures specifying the
13	steps to be taken in carrying out this subsection and shall
14	terminate assistance to any individual, entity, or edu-
15	cational institution which the Secretary has determined to
16	be involved in or advocating terrorist activity.
17	(c) Prohibition.—
18	(1) Recognition of acts of terrorism.—
19	None of the funds appropriated under titles III
20	through VI of this Act for assistance under the West
21	Bank and Gaza Program may be made available
22	for—
23	(A) the purpose of recognizing or otherwise
24	honoring individuals who commit, or have com-
25	mitted acts of terrorism; and



1	(B) any educational institution located in
2	the West Bank or Gaza that is named after an
3	individual who the Secretary of State deter-
4	mines has committed an act of terrorism.
5	(2) Security assistance and reporting re-
6	QUIREMENT.—Notwithstanding any other provision
7	of law, none of the funds made available by this or
8	prior appropriations Acts, including funds made
9	available by transfer, may be made available for obli-
10	gation for security assistance for the West Bank and
11	Gaza until the Secretary of State reports to the
12	Committees on Appropriations on the benchmarks
13	that have been established for security assistance for
14	the West Bank and Gaza and reports on the extent
15	of Palestinian compliance with such benchmarks.
16	(d) Oversight by the United States Agency
17	FOR INTERNATIONAL DEVELOPMENT.—
18	(1) The Administrator of the United States
19	Agency for International Development shall ensure
20	that Federal or non-Federal audits of all contractors
21	and grantees, and significant subcontractors and
22	sub-grantees, under the West Bank and Gaza Pro-
23	gram, are conducted at least on an annual basis to
24	ensure, among other things, compliance with this
25	section.



1	(2) Of the funds appropriated by this Act, up
2	to \$1,000,000 may be used by the Office of Inspec-
3	tor General of the United States Agency for Inter-
4	national Development for audits, investigations, and
5	other activities in furtherance of the requirements of
6	this subsection: Provided, That such funds are in ad-
7	dition to funds otherwise available for such pur-
8	poses.
9	(e) Comptroller General of the United
10	STATES AUDIT.—Subsequent to the certification specified
11	in subsection (a), the Comptroller General of the United
12	States shall conduct an audit and an investigation of the
13	treatment, handling, and uses of all funds for the bilateral
14	West Bank and Gaza Program, including all funds pro-
15	vided as cash transfer assistance, in fiscal year 2019
16	under the heading "Economic Support Fund", and such
17	audit shall address—
18	(1) the extent to which such Program complies
19	with the requirements of subsections (b) and (c);
20	and
21	(2) an examination of all programs, projects,
22	and activities carried out under such Program, in-
23	cluding both obligations and expenditures.
24	(f) Notification Procedures.—Funds made
25	available in this Act for West Bank and Gaza shall be



- 1 subject to the regular notification procedures of the Com-
- 2 mittees on Appropriations.
- 3 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN
- 4 AUTHORITY
- 5 Sec. 7040. (a) Prohibition of Funds.—None of
- 6 the funds appropriated by this Act to carry out the provi-
- 7 sions of chapter 4 of part II of the Foreign Assistance
- 8 Act of 1961 may be obligated or expended with respect
- 9 to providing funds to the Palestinian Authority.
- 10 (b) Waiver.—The prohibition included in subsection
- 11 (a) shall not apply if the President certifies in writing to
- 12 the Speaker of the House of Representatives, the Presi-
- 13 dent pro tempore of the Senate, and the Committees on
- 14 Appropriations that waiving such prohibition is important
- 15 to the national security interest of the United States.
- 16 (c) Period of Application of Waiver.—Any
- 17 waiver pursuant to subsection (b) shall be effective for no
- 18 more than a period of 6 months at a time and shall not
- 19 apply beyond 12 months after the enactment of this Act.
- 20 (d) Report.—Whenever the waiver authority pursu-
- 21 ant to subsection (b) is exercised, the President shall sub-
- 22 mit a report to the Committees on Appropriations detail-
- 23 ing the justification for the waiver, the purposes for which
- 24 the funds will be spent, and the accounting procedures in
- 25 place to ensure that the funds are properly disbursed: Pro-



1 4	vided.	That	the	report	shall	also	detail	the s	steps	the 1	Pales-
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- 2 tinian Authority has taken to arrest terrorists, confiscate
- 3 weapons and dismantle the terrorist infrastructure.
- 4 (e) Certification.—If the President exercises the
- 5 waiver authority under subsection (b), the Secretary of
- 6 State must certify and report to the Committees on Ap-
- 7 propriations prior to the obligation of funds that the Pal-
- 8 estinian Authority has established a single treasury ac-
- 9 count for all Palestinian Authority financing and all fi-
- 10 nancing mechanisms flow through this account, no parallel
- 11 financing mechanisms exist outside of the Palestinian Au-
- 12 thority treasury account, and there is a single comprehen-
- 13 sive civil service roster and payroll, and the Palestinian
- 14 Authority is acting to counter incitement of violence
- 15 against Israelis and is supporting activities aimed at pro-
- 16 moting peace, coexistence, and security cooperation with
- 17 Israel.
- 18 (f) Prohibition to Hamas and the Palestine
- 19 LIBERATION ORGANIZATION.—
- 20 (1) None of the funds appropriated in titles III
- 21 through VI of this Act may be obligated for salaries
- of personnel of the Palestinian Authority located in
- Gaza or may be obligated or expended for assistance
- 24 to Hamas or any entity effectively controlled by
- 25 Hamas, any power-sharing government of which



1	Hamas is a member, or that results from an agree-
2	ment with Hamas and over which Hamas exercises
3	undue influence.
4	(2) Notwithstanding the limitation of paragraph
5	(1), assistance may be provided to a power-sharing
6	government only if the President certifies and re-
7	ports to the Committees on Appropriations that such
8	government, including all of its ministers or such
9	equivalent, has publicly accepted and is complying
10	with the principles contained in section 620K(b)(1)
11	(A) and (B) of the Foreign Assistance Act of 1961,
12	as amended.
13	(3) The President may exercise the authority in
14	section 620K(e) of the Foreign Assistance Act of
15	1961, as added by the Palestinian Anti-Terrorism
16	Act of 2006 (Public Law 109–446) with respect to
17	this subsection.
18	(4) Whenever the certification pursuant to
19	paragraph (2) is exercised, the Secretary of State
20	shall submit a report to the Committees on Appro-
21	priations within 120 days of the certification and
22	every quarter thereafter on whether such govern-
23	ment, including all of its ministers or such equiva-
24	lent are continuing to comply with the principles

contained in section 620K(b)(1) (A) and (B) of the

1	Foreign Assistance Act of 1961, as amended: Pro-
2	vided, That the report shall also detail the amount
3	purposes and delivery mechanisms for any assistance
4	provided pursuant to the abovementioned certification
5	cation and a full accounting of any direct support of
6	such government.
7	(5) None of the funds appropriated under titles
8	III through VI of this Act may be obligated for as
9	sistance for the Palestine Liberation Organization.
10	MIDDLE EAST AND NORTH AFRICA
11	Sec. 7041. (a) Egypt.—
12	(1) CERTIFICATION AND REPORT.—Funds ap-
13	propriated by this Act that are available for assist
14	ance for Egypt may be made available notwith
15	standing any other provision of law restricting as
16	sistance for Egypt, except for this subsection and
17	section 620M of the Foreign Assistance Act of 1961
18	and may only be made available for assistance for
19	the Government of Egypt if the Secretary of State
20	certifies and reports to the Committees on Appro-
21	priations that such government is—
22	(A) sustaining the strategic relationship
23	with the United States; and
24	(B) meeting its obligations under the 1979
25	Ecvent-Israel Peace Treaty



1	(2) Economic support fund.—
2	(A) Funding.—Of the funds appropriated
3	by this Act under the heading "Economic Sup-
4	port Fund", up to \$112,500,000 may be made
5	available for assistance for Egypt, of which not
6	less than $\$35,000,000$ should be made available
7	for higher education programs including not
8	less than $$10,000,000$ for scholarships for
9	Egyptian students with high financial need to
10	attend not-for-profit institutions of higher edu-
11	cation: Provided, That such funds shall be made
12	available for democracy programs, and for de-
13	velopment programs in the Sinai: Provided fur-
14	ther, That such funds may not be made avail-
15	able for cash transfer assistance or budget sup-
16	port unless the Secretary of State certifies and
17	reports to the appropriate congressional com-
18	mittees that the Government of Egypt is taking
19	consistent and effective steps to stabilize the
20	economy and implement market-based economic
21	reforms.
22	(B) WITHHOLDING.—The Secretary of
23	State shall withhold from obligation funds ap-
24	propriated by this Act under the heading "Eco-
25	nomic Support Fund" for assistance for Egypt,



an amount of such funds that the Secretary de-
termines to be equivalent to that expended by
the United States Government for bail, and by
nongovernmental organizations for legal and
court fees, associated with democracy-related
trials in Egypt until the Secretary certifies and
reports to the Committees on Appropriations
that the Government of Egypt has dismissed
the convictions issued by the Cairo Criminal
Court on June 4, 2013, in "Public Prosecution
Case No. 1110 for the Year 2012", and has not
subjected the defendants to further prosecution
or if convicted they have been granted full par-
dons.
(C) Limitation.—None of the funds ap-
propriated by this Act and prior Acts making
appropriations for the Department of State,
foreign operations, and related programs under
the heading "Economic Support Fund" may be

appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Economic Support Fund" may be made available for a contribution, voluntary or otherwise, to the "Civil Associations and Foundations Support Fund", or any similar fund, established pursuant to Law 70 on Associations and Other Foundations Working in the Field of

1	Civil Work published in the Official Gazette of
2	Egypt on May 29, 2017.
3	(3) Foreign military financing pro-
4	GRAM.—
5	(A) CERTIFICATION.—Of the funds appro-
6	priated by this Act under the heading "Foreign
7	Military Financing Program", up to
8	\$1,300,000,000, to remain available until Sep-
9	tember 30, 2020, may be made available for as-
10	sistance for Egypt: Provided, That such funds
11	may be transferred to an interest bearing ac-
12	count in the Federal Reserve Bank of New
13	York, following consultation with the Commit-
14	tees on Appropriations: Provided further, That
15	\$300,000,000 of such funds shall be withheld
16	from obligation until the Secretary of State cer-
17	tifies and reports to the Committees on Appro-
18	priations that the Government of Egypt is tak-
19	ing sustained and effective steps to—
20	(i) advance democracy and human
21	rights in Egypt, including to govern demo-
22	cratically and protect religious minorities
23	and the rights of women, which are in ad-
24	dition to steps taken during the previous
25	calendar year for such purposes:



1	(ii) implement reforms that protect
2	freedoms of expression, association, and
3	peaceful assembly, including the ability of
4	civil society organizations, human rights
5	defenders, and the media to function with-
6	out interference;
7	(iii) release political prisoners and
8	provide detainees with due process of law
9	(iv) hold Egyptian security forces ac-
10	countable, including officers credibly al-
11	leged to have violated human rights;
12	(v) investigate and prosecute cases of
13	extrajudicial killings and forced disappear-
14	ances; and
15	(vi) provide regular access for United
16	States officials to monitor such assistance
17	in areas where the assistance is used:
18	Provided further, That the certification require-
19	ment of this paragraph shall not apply to funds
20	appropriated by this Act under such heading
21	for counterterrorism, border security, and non-
22	proliferation programs for Egypt.
23	(B) WAIVER.—The Secretary of State may
24	waive the certification requirement in subpara-
25	oranh (A) if the Secretary determines and re-



1	ports to the Committees on Appropriations that
2	to do so is important to the national security
3	interest of the United States, and submits a re
4	port to such Committees containing a detailed
5	justification for the use of such waiver and the
6	reasons why any of the requirements of sub
7	paragraph (A) cannot be met, and including an
8	assessment of the compliance of the Govern
9	ment of Egypt with United Nations Security
10	Council Resolution 2270 and other such resolu
11	tions regarding North Korea: Provided, Tha
12	the report required by this paragraph shall be
13	submitted in unclassified form, but may be ac
14	companied by a classified annex.
15	(4) Oversight requirement.—The Secretary
16	of State shall take all practicable steps to ensure
17	that mechanisms are in place for monitoring, over
18	sight, and control of funds made available by this
19	subsection for assistance for Egypt.
20	(5) Consultation requirement.—Not later
21	than 90 days after enactment of this Act, the Sec
22	retary of State shall consult with the Committees or
23	Appropriations on any plan to restructure military
24	assistance for Egypt.
25	(b) Iran.—



1	(1) Funding.—Funds appropriated by this Act
2	under the headings "Diplomatic Programs", "Eco-
3	nomic Support Fund", and "Nonproliferation, Anti-
4	terrorism, Demining and Related Programs' shall
5	be used by the Secretary of State—
6	(A) to support the United States policy to
7	prevent Iran from achieving the capability to
8	produce or otherwise obtain a nuclear weapon
9	(B) to support an expeditious response to
10	any violation of United Nations Security Coun-
11	cil Resolutions or to efforts that advance Iran's
12	nuclear program;
13	(C) to support the implementation and en-
14	forcement of sanctions against Iran for support
15	of nuclear weapons development, terrorism
16	human rights abuses, and ballistic missile and
17	weapons proliferation; and
18	(D) for democracy programs for Iran, to
19	be administered by the Assistant Secretary for
20	Near Eastern Affairs, Department of State, in
21	consultation with the Assistant Secretary for
22	Democracy, Human Rights, and Labor, Depart-
23	ment of State.
24	(2) Continuation of Prohibition.—The
25	terms and conditions of section 7041(c)(2) of the



1	Department of State, Foreign Operations, and Re-
2	lated Programs Appropriations Act, 2012 (division I
3	of Public Law 112–74) shall continue in effect dur-
4	ing fiscal year 2019.
5	(3) Reports.—
6	(A) SEMI-ANNUAL REPORT.—The Sec-
7	retary of State shall submit to the Committees
8	on Appropriations the semi-annual report re-
9	quired by section 135 of the Atomic Energy Act
10	of 1954 (42 U.S.C. $2160e(d)(4)$), as added by
11	section 2 of the Iran Nuclear Agreement Re-
12	view Act of 2015 (Public Law 114–17).
13	(B) Sanctions report.—Not later than
14	180 days after the date of enactment of this
15	Act, the Secretary of State, in consultation with
16	the Secretary of the Treasury, shall submit to
17	the appropriate congressional committees a re-
18	port on the status of the implementation and
19	enforcement of bilateral United States and mul-
20	tilateral sanctions against Iran and actions
21	taken by the United States and the inter-
22	national community to enforce such sanctions
23	against Iran: Provided, That the report shall
24	also include any entities involved in providing
25	significant support for the development of a



1	ballistic missile by the Government of Iran after
2	October 1, 2015, including shipping and financ-
3	ing, and note whether such entities are cur-
4	rently under United States sanctions: Provided
5	further, That such report shall be submitted in
6	an unclassified form, but may contain a classi-
7	fied annex if necessary.
8	(c) Iraq.—
9	(1) Purposes.—Funds appropriated under ti-
10	tles III and IV of this Act shall be made available
11	for assistance for Iraq for—
12	(A) bilateral economic assistance and inter-
13	national security assistance, including for the
14	Marla Ruzicka Iraqi War Victims Fund;
15	(B) stabilization assistance at not less than
16	the amounts specified for such purpose in the
17	table under this subsection in the explanatory
18	statement described in section 4 (in the matter
19	preceding division A of this consolidated Act);
20	(C) humanitarian assistance, including in
21	the Kurdistan Region of Iraq; and
22	(D) programs to protect and assist reli-
23	gious and ethnic minority populations in Iraq.
24	(2) Basing rights agreement.—None of the
25	funda appropriated or otherwise made available by



1	this Act may be used by the Government of the
2	United States to enter into a permanent basing
3	rights agreement between the United States and
4	Iraq.
5	(d) JORDAN.—Of the funds appropriated by this Act
6	under titles III and IV, not less than $\$1,525,000,000$ shall
7	be made available for assistance for Jordan, of which: not
8	less than $$1,082,400,000$ shall be made available under
9	the heading "Economic Support Fund", of which not less
10	than \$745,100,000 shall be made available for budget sup-
11	port for the Government of Jordan; and not less than
12	\$425,000,000 shall be made available under the heading
13	"Foreign Military Financing Program".
14	(e) Lebanon.—
15	(1) Limitation.—None of the funds appro-
16	priated by this Act may be made available for the
17	Lebanese Internal Security Forces (ISF) or the Leb-
18	anese Armed Forces (LAF) if the ISF or the LAF
19	is controlled by a foreign terrorist organization, as
20	designated pursuant to section 219 of the Immigra-
21	tion and Nationality Act (8 U.S.C. 1189).
22	(2) Consultation.—Funds appropriated by
23	this Act under the headings "International Narcotics
24	Control and Law Enforcement" and "Foreign Mili-
25	tary Financing Program" that are available for as-



1	sistance for Lebanon may be made available for pro-
2	grams and equipment for the ISF and the LAF to
3	address security and stability requirements in areas
4	affected by the conflict in Syria, following consulta-
5	tion with the appropriate congressional committees
6	(3) Economic support fund.—Funds appro-
7	priated by this Act under the heading "Economic
8	Support Fund" that are available for assistance for
9	Lebanon may be made available notwithstanding
10	section 1224 of the Foreign Relations Authorization
11	Act, Fiscal Year 2003 (Public Law 107–228; 22
12	U.S.C. 2346 note).
13	(4) Foreign military financing pro-
14	GRAM.—In addition to the activities described in
15	paragraph (2), funds appropriated by this Act under
16	the heading "Foreign Military Financing Program"
17	for assistance for Lebanon may be made available
18	only to professionalize the LAF and to strengther
19	border security and combat terrorism, including
20	training and equipping the LAF to secure Lebanon's
21	borders, interdicting arms shipments, preventing the
22	use of Lebanon as a safe haven for terrorist groups
	ase of Besanon as a safe haven for terrorist groups
23	and to implement United Nations Security Counci



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obligated for assistance for the LAF until the Sec-

1	retary of State submits to the Committees on Appro-
2	priations a spend plan, including actions to be taken
3	to ensure equipment provided to the LAF is only
4	used for the intended purposes, except such plan
5	may not be considered as meeting the notification
6	requirements under section 7015 of this Act or
7	under section 634A of the Foreign Assistance Act of
8	1961, and shall be submitted not later than Sep-
9	tember 1, 2019: Provided further, That any notifica-
10	tion submitted pursuant to such sections shall in-
11	clude any funds specifically intended for lethal mili-
12	tary equipment.

(f) Libya.—

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- (1) Assistance.—Funds appropriated under titles III and IV of this Act shall be made available for stabilization assistance for Libya, including border security: Provided, That the limitation on the uses of funds for certain infrastructure projects in section 7041(f)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2014 (division K of Public Law 113-76) shall apply to such funds.
- (2) Certification.—Prior to the initial obligation of funds made available by this Act for assistance for Libya, the Secretary of State shall certify

1	and report to the Committees on Appropriations
2	that all practicable steps have been taken to ensure
3	that mechanisms are in place for monitoring, over
4	sight, and control of such funds.
5	(3) Cooperation on the september 2012 at
6	TACK ON UNITED STATES PERSONNEL AND FACILITY
7	TIES.—None of the funds appropriated by this Act
8	may be made available for assistance for the centra
9	Government of Libya unless the Secretary of State
10	certifies and reports to the Committees on Appro-
11	priations that such government is cooperating with
12	United States Government efforts to investigate and
13	bring to justice those responsible for the attack or
14	United States personnel and facilities in Benghazi
15	Libya in September 2012: Provided, That the limita
16	tion in this paragraph shall not apply to funds made
17	available for the purpose of protecting United States
18	Government personnel or facilities.
19	(g) Morocco.—
20	(1) AVAILABILITY AND CONSULTATION RE
21	QUIREMENT.—Funds appropriated under title III of
22	this Act shall be made available for assistance for
23	the Western Sahara: Provided, That not later than
24	90 days after enactment of this Act and prior to the
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obligation of such funds, the Secretary of State, in

1	consultation with the USAID Administrator, shall
2	consult with the Committees on Appropriations on
3	the proposed uses of such funds.
4	(2) Foreign military financing pro-
5	GRAM.—Funds appropriated by this Act under the
6	heading "Foreign Military Financing Program" that
7	are available for assistance for Morocco may only be
8	used for the purposes requested in the Congressional
9	Budget Justification, Foreign Operations, Fiscal
10	Year 2017.
11	(h) Refugee Assistance in North Africa.—Not
12	later than 45 days after enactment of this Act, the Sec-
13	retary of State, after consultation with the United Nations
14	High Commissioner for Refugees and the Executive Direc-
15	tor of the World Food Programme, shall submit a report
16	to the Committees on Appropriations describing steps
17	taken to strengthen monitoring of the delivery of humani-
18	tarian assistance provided for refugees in North Africa,
19	including any steps taken to ensure that all vulnerable ref-
20	ugees are receiving such assistance.
21	(i) Syria.—
22	(1) Non-lethal assistance.—Of the funds
23	appropriated by this Act under the headings "Eco-
24	nomic Support Fund", "International Narcotics
25	Control and Law Enforcement", and "Peacekeeping



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1	Operations", not less than \$40,000,000 shall be
2	made available, notwithstanding any other provision
3	of law, for non-lethal stabilization assistance for
4	Syria, of which not less than \$7,000,000 shall be
5	made available for emergency medical and rescue re-
6	sponse and chemical weapons use investigations.
7	(2) Syrian organizations.—Funds appro-
8	priated by this Act that are made available for as-
9	sistance for Syria shall be made available, on an
10	open and competitive basis, to continue to strength-
11	en the capability of Syrian civil society organizations
12	to address the immediate and long-term needs of the
13	Syrian people in Syria in a manner that supports
14	the sustainability of such organizations in imple-
15	menting Syrian-led humanitarian and development
16	programs: Provided, That funds made available by
17	this paragraph shall be administered by the Bureau
18	for Democracy, Human Rights, and Labor, Depart-
19	ment of State.
20	(3) Limitations.—Funds made available pur-
21	suant to paragraph (1) of this subsection—
22	(A) may not be made available for a

(A) may not be made available for a project or activity that supports or otherwise legitimizes the Government of Iran, foreign terrorist organizations (as designated pursuant to



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1	section 219 of the Immigration and Nationality
2	Act (8 U.S.C. 1189)), or a proxy of Iran in
3	Syria; and
4	(B) should not be used in areas of Syria
5	controlled by a government led by Bashar al-
6	Assad or associated forces.
7	(4) Monitoring and oversight.—Prior to
8	the obligation of funds appropriated by this Act and
9	made available for assistance for Syria, the Sec-
10	retary of State shall take all practicable steps to en-
11	sure that mechanisms are in place for monitoring
12	oversight, and control of such assistance inside
13	Syria.
14	(5) Consultation and notification.—
15	Funds made available pursuant to this subsection
16	may only be made available following consultation
17	with the appropriate congressional committees, and
18	shall be subject to the regular notification proce-
19	dures of the Committees on Appropriations.
20	(j) Tunisia.—Of the funds appropriated under titles
21	III and IV of this Act, not less than \$191,400,000 shall
22	be made available for assistance for Tunisia.
23	(k) West Bank and Gaza.—
24	(1) Report on assistance.—Prior to the ini-
25	tial obligation of funds made available by this Act



1	under the heading "Economic Support Fund" for
2	assistance for the West Bank and Gaza, the Sec-
3	retary of State shall report to the Committees on
4	Appropriations that the purpose of such assistance
5	is to—
6	(A) advance Middle East peace;
7	(B) improve security in the region;
8	(C) continue support for transparent and
9	accountable government institutions;
10	(D) promote a private sector economy; or
11	(E) address urgent humanitarian needs.
12	(2) Limitations.—
13	(A)(i) None of the funds appropriated
14	under the heading "Economic Support Fund"
15	in this Act may be made available for assistance
16	for the Palestinian Authority, if after the date
17	of enactment of this Act—
18	(I) the Palestinians obtain the same
19	standing as member states or full member-
20	ship as a state in the United Nations or
21	any specialized agency thereof outside an
22	agreement negotiated between Israel and
23	the Palestinians; or
24	(II) the Palestinians initiate an Inter-
25	national Criminal Court (ICC) judicially



1	authorized investigation, or actively sup-
2	port such an investigation, that subjects
3	Israeli nationals to an investigation for al-
4	leged crimes against Palestinians.
5	(ii) The Secretary of State may waive the
6	restriction in clause (i) of this subparagraph re-
7	sulting from the application of subclause (I) of
8	such clause if the Secretary certifies to the
9	Committees on Appropriations that to do so is
10	in the national security interest of the United
11	States, and submits a report to such Commit-
12	tees detailing how the waiver and the continu-
13	ation of assistance would assist in furthering
14	Middle East peace.
15	(B)(i) The President may waive the provi-
16	sions of section 1003 of the Foreign Relations
17	Authorization Act, Fiscal Years 1988 and 1989
18	(Public Law 100–204) if the President deter-
19	mines and certifies in writing to the Speaker of
20	the House of Representatives, the President pro-
21	tempore of the Senate, and the appropriate con-
22	gressional committees that the Palestinians
23	have not, after the date of enactment of this
24	Act—



1	(I) obtained in the United Nations or
2	any specialized agency thereof the same
3	standing as member states or full member-
4	ship as a state outside an agreement nego-
5	tiated between Israel and the Palestinians;
6	and
7	(II) initiated or actively supported an
8	ICC investigation against Israeli nationals
9	for alleged crimes against Palestinians.
10	(ii) Not less than 90 days after the Presi-
11	dent is unable to make the certification pursu-
12	ant to clause (i) of this subparagraph, the
13	President may waive section 1003 of Public
14	Law 100-204 if the President determines and
15	certifies in writing to the Speaker of the House
16	of Representatives, the President pro tempore
17	of the Senate, and the Committees on Appro-
18	priations that the Palestinians have entered
19	into direct and meaningful negotiations with
20	Israel: Provided, That any waiver of the provi-
21	sions of section 1003 of Public Law 100–204
22	under clause (i) of this subparagraph or under
23	previous provisions of law must expire before
24	the waiver under the preceding sentence may be
25	exercised.



1	(iii) Any waiver pursuant to this subpara-
2	graph shall be effective for no more than a pe-
3	riod of 6 months at a time and shall not apply
4	beyond 12 months after the enactment of this
5	Act.
6	(3) REDUCTION.—The Secretary of State shall
7	reduce the amount of assistance made available by
8	this Act under the heading "Economic Support
9	Fund" for the Palestinian Authority by an amount
10	the Secretary determines is equivalent to the amount
11	expended by the Palestinian Authority, the Palestine
12	Liberation Organization, and any successor or affili-
13	ated organizations with such entities as payments
14	for acts of terrorism by individuals who are impris-
15	oned after being fairly tried and convicted for acts
16	of terrorism and by individuals who died committing
17	acts of terrorism during the previous calendar year:
18	Provided, That the Secretary shall report to the
19	Committees on Appropriations on the amount re-
20	duced for fiscal year 2019 prior to the obligation of
21	funds for the Palestinian Authority.
22	(4) Private sector partnership pro-
23	GRAMS.—Funds appropriated by this Act and prior
24	Acts making appropriations for the Department of
25	State, foreign operations, and related programs may



1	be made available for private sector partnership pro-
2	grams for the West Bank and Gaza if such funds
3	are authorized: Provided, That funds made available
4	pursuant to this paragraph shall be subject to prior
5	consultation with the appropriate congressional com-
6	mittees, and the regular notification procedures of
7	the Committees on Appropriations.
8	(5) Security Report.—The reporting require-
9	ments in section 1404 of the Supplemental Appro-
10	priations Act, 2008 (Public Law 110–252) shall
11	apply to funds made available by this Act, including
12	a description of modifications, if any, to the security
13	strategy of the Palestinian Authority.
14	(6) Incitement report.—Not later than 90
15	days after enactment of this Act, the Secretary of
16	State shall submit a report to the appropriate con-
17	gressional committees detailing steps taken by the
18	Palestinian Authority to counter incitement of vio-
19	lence against Israelis and to promote peace and co-

- 20 existence with Israel.
- 21 (l) Yemen.—Funds appropriated by this Act under
- 22 the heading "Economic Support Fund" shall be made
- 23 available for stabilization assistance for Yemen.

1	AFRICA
2	Sec. 7042. (a) African Great Lakes Region As-
3	SISTANCE RESTRICTION.—Funds appropriated by this Act
4	under the heading "International Military Education and
5	Training" for the central government of a country in the
6	African Great Lakes region may be made available only
7	for Expanded International Military Education and Train-
8	ing and professional military education until the Secretary
9	of State determines and reports to the Committees on Ap-
10	propriations that such government is not facilitating or
11	otherwise participating in destabilizing activities in a
12	neighboring country, including aiding and abetting armed
13	groups.
14	(b) Central African Republic.—Funds made
15	available by this Act for assistance for the Central African
16	Republic shall be made available for reconciliation and
17	peacebuilding programs, including activities to promote
18	inter-faith dialogue at the national and local levels, and
19	for programs to prevent crimes against humanity.
20	(c) Counter Lord's Resistance Army.—Funds
21	appropriated by this Act shall be made available for pro-
22	grams and activities in areas affected by the Lord's Re-
23	sistance Army (LRA) consistent with the goals of the
24	Lord's Resistance Army Disarmament and Northern
25	Uganda Recovery Act of 2009 (Public Law 111–172), in-



1	cluding to improve physical access, telecommunications in-
2	frastructure, and early-warning mechanisms and to sup-
3	port the disarmament, demobilization, and reintegration
4	of former LRA combatants, especially child soldiers.

- 5 (d) Lake Chad Basin Countries.—Funds appro-6 priated under titles III and IV of this Act shall be made 7 available, following consultation with the Committees on
- 8 Appropriations, for assistance for Cameroon, Chad, Niger,
- 9 and Nigeria for—
- 10 (1) democracy, development, and health pro-11 grams;
- 12 (2) assistance for individuals targeted by for-13 eign terrorist and other extremist organizations, in-14 cluding Boko Haram, consistent with the provisions 15 of section 7059 of this Act;
- (3) assistance for individuals displaced by vio lent conflict; and
- 18 (4) counterterrorism programs.
- 19 (e) Malawi.—Of the funds appropriated by this Act
- 20 under the heading "Development Assistance", not less
- 21 than \$56,000,000 shall be made available for assistance
- 22 for Malawi, of which up to \$10,000,000 shall be made
- 23 available for higher education programs.
- 24 (f) SOUTH SUDAN.—Funds appropriated by this Act
- 25 that are made available for assistance for the central Gov-



1	ernment of South Sudan may only be made available, fol-
2	lowing consultation with the Committees on Appropria-
3	tions, for—
4	(1) humanitarian assistance;
5	(2) health programs, including to prevent, de-
6	tect, and respond to the Ebola virus disease;
7	(3) assistance to support South Sudan peace
8	negotiations or to advance or implement a peace
9	agreement; and
10	(4) assistance to support implementation of
11	outstanding issues of the Comprehensive Peace
12	Agreement and mutual arrangements related to such
13	agreement:
14	Provided, That of the funds appropriated by this Act for
15	assistance for South Sudan, not less than \$7,000,000
16	shall be made available for conflict mitigation and rec-
17	onciliation programs: Provided further, That prior to the
18	initial obligation of funds made available pursuant to
19	paragraphs (3) and (4), the Secretary of State shall con-
20	sult with the Committees on Appropriations on the in-
21	tended uses of such funds and steps taken by such govern-
22	ment to advance or implement a peace agreement.
23	(g) Sudan.—
24	(1) Limitations —



1	(A) Assistance.—Notwithstanding any
2	other provision of law, none of the funds appro-
3	priated by this Act may be made available for
4	assistance for the Government of Sudan.
5	(B) Loans.—None of the funds appro-
6	priated by this Act may be made available for
7	the cost, as defined in section 502 of the Con-
8	gressional Budget Act of 1974, of modifying
9	loans and loan guarantees held by the Govern-
10	ment of Sudan, including the cost of selling, re-
11	ducing, or canceling amounts owed to the
12	United States, and modifying concessional
13	loans, guarantees, and credit agreements.
14	(2) Exclusions.—The limitations of para-
15	graph (1) shall not apply to—
16	(A) humanitarian assistance;
17	(B) assistance for democracy programs;
18	(C) assistance for the Darfur region,
19	Southern Kordofan State, Blue Nile State,
20	other marginalized areas and populations in
21	Sudan, and Abyei; and
22	(D) assistance to support implementation
23	of outstanding issues of the Comprehensive
24	Peace Agreement, mutual arrangements related
25	to post-referendum issues associated with such



1	Agreement, or any other internationally recog-
2	nized viable peace agreement in Sudan.

(h) ZIMBABWE.—

- (1) Instruction.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any extension by the respective institution of any loan or grant to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State certifies and reports to the Committees on Appropriations that the rule of law has been restored, including respect for ownership and title to property, and freedoms of expression, association, and assembly.
- (2) LIMITATION.—None of the funds appropriated by this Act shall be made available for assistance for the central Government of Zimbabwe, except for health and education, unless the Secretary of State certifies and reports as required in paragraph (1), and funds may be made available for macroeconomic growth assistance if the Secretary reports to the Committees on Appropriations that such government is implementing transparent fiscal policies, including public disclosure of revenues from the extraction of natural resources.



1	EAST ASIA AND THE PACIFIC
2	Sec. 7043. (a) Burma.—
3	(1) BILATERAL ECONOMIC ASSISTANCE.—
4	(A) ECONOMIC SUPPORT FUND.—Funds
5	appropriated by this Act under the heading
6	"Economic Support Fund" for assistance for
7	Burma may be made available notwithstanding
8	any other provision of law, except for this sub-
9	section, and following consultation with the ap-
10	propriate congressional committees.
11	(B) Uses.—Funds appropriated under
12	title III of this Act for assistance for Burma—
13	(i) shall be made available to
14	strengthen civil society organizations in
15	Burma and for programs to strengthen
16	independent media;
17	(ii) shall be made available for com-
18	munity-based organizations operating in
19	Thailand to provide food, medical, and
20	other humanitarian assistance to internally
21	displaced persons in eastern Burma, in ad-
22	dition to assistance for Burmese refugees
23	from funds appropriated by this Act under
24	the heading "Migration and Refugee As-
25	sistance":



1	(iii) shall be made available for pro-
2	grams to promote ethnic and religious tol-
3	erance and to combat gender-based vio-
4	lence, including in Rakhine, Shan, Kachin
5	and Karen states;
6	(iv) shall be made available to pro-
7	mote rural economic development in
8	Burma, including through microfinance
9	programs;
10	(v) shall be made available to increase
11.	opportunities for foreign direct investment
12	by strengthening the rule of law, trans-
13	parency, and accountability;
14	(vi) shall be made available for pro-
15	grams to investigate and document allega
16	tions of ethnic cleansing and other gross
17	violations of human rights committed
18	against the Rohingya people in Rakhine
19	state: Provided, That such sums shall be in
20	addition to funds otherwise made available
21	for such purposes;
22	(vii) shall be made available for pro-
23	grams to investigate and document allega
24	tions of gross violations of human rights



1	committed in Burma, particularly in areas
2	of conflict; and
3	(viii) may be made available for ethnic
4	groups and civil society in Burma to help
5	sustain ceasefire agreements and further
6	prospects for reconciliation and peace
7	which may include support to representa-
8	tives of ethnic armed groups for this pur-
9	pose.
10	(C) Limitations.—Funds appropriated
11	under title III of this Act for assistance for
12	Burma—
13	(i) may not be made available to any
14	individual or organization if the Secretary
15	of State has credible information that such
16	individual or organization has committed a
17	gross violation of human rights, including
18	against Rohingya and other minority
19	groups, or that advocates violence against
20	ethnic or religious groups or individuals in
21	Burma;
22	(ii) may not be made available to any
23	organization or entity controlled by the
24	armed forces of Burma;



1	(iii) may only be made available for
2	programs to support the return of
3	Rohingya, Karen, and other refugees and
4	internally displaced persons to their loca-
5	tions of origin or preference in Burma if
6	such returns are voluntary and consistent
7	with international law; and
8	(iv) may only be made available for
9	assistance for the Government of Burma to
10	support the implementation of Nationwide
11	Ceasefire Agreement conferences, commit-
12	tees, and other procedures if the Secretary
13	of State reports to the Committees on Ap-
14	propriations that such procedures are di-
15	rected toward a sustainable peace and the
16	Government of Burma is implementing its
17	commitments under such Agreement.
18	(2) International security assistance.—
19	None of the funds appropriated by this Act under
20	the headings "International Military Education and
21	Training" and "Foreign Military Financing Pro-
22	gram" may be made available for assistance for
23	Burma: Provided, That the Department of State
24	may continue consultations with the armed forces of
25	Burma only on human rights and disaster response



1	in a manner consistent with the prior fiscal year,
2	and following consultation with the appropriate con-
3	gressional committees.
4	(3) Programs and responsibilities.—
5	(A) Any new program or activity in Burma
6	initiated in fiscal year 2019 shall be subject to
7	prior consultation with the appropriate congres-
8	sional committees.
9	(B) The United States Chief of Mission in
10	Burma, in consultation with the Assistant Sec-
11	retary for Democracy, Human Rights, and
12	Labor, Department of State, shall be respon-
13	sible for democracy and human rights programs
14	in Burma.
15	(b) Cambodia.—
16	(1) Assistance.—
17	(A) None of the funds appropriated by this
18	Act that are made available for assistance for
19	the Government of Cambodia, except for health
20	programs, may be obligated or expended unless
21	the Secretary of State certifies and reports to
22	the Committees on Appropriations that such
23	Government is taking effective steps to—
24	(i) strengthen regional security and
25	stability particularly regarding territorial



1	disputes in the South China Sea and the
2	enforcement of international sanctions with
3	respect to North Korea; and
4	(ii) respect the rights and responsibil
5	ities enshrined in the Constitution of the
6	Kingdom of Cambodia as enacted in 1993
7	including through the—
8	(I) restoration of the civil and
9	political rights of the opposition Cam
0	bodia National Rescue Party, media
1	and civil society organizations;
12	(II) restoration of all elected offi
13	cials to elected offices held prior to
14	the July 2018 parliamentary elections
15	and
16	(III) release of all political pris
17	oners, including journalists, civil soci
18	ety activists, and members of the op
19	position political party.
20	(B) Funds appropriated under title III o
21	this Act for assistance for Cambodia shall be
22	made available for—
23	(i) democracy programs, including re
24	search and education programs associated
25	with the Khmer Rouge in Cambodia, ex



1	cept that no funds for such purposes may
2	be made available to the Extraordinary
3	Chambers in the Court of Cambodia; and
4	(ii) programs in the Khmer language
5	to counter the influence of the People's Re-
6	public of China in Cambodia.
7	(2) VISA RESTRICTION.—Funds appropriated
8	under title I of this Act shall be made available to
9	continue to implement the policy announced by the
10	Department of State on December 6, 2017, to re-
11	strict the issuance of visas to enter the United
12	States to individuals involved in undermining democ-
13	racy in Cambodia, including the family members of
14	such individuals, as appropriate: Provided, That not
15	later than 30 days after enactment of this Act, the
16	Secretary of State shall submit a report to the ap-
17	propriate congressional committees describing the
18	implementation of such policy.
19	(c) Indo-Pacific Strategy.—Of the funds appro-
20	priated by this Act, not less than \$160,000,000 shall be
21	made available to support the implementation of the Indo-
22	Pacific Strategy: Provided, That such funds are in addi-
23	tion to amounts otherwise made available for such pur-
24	poses.
25	(d) NORTH KOREA —



1	(1) Cybersecurity.—None of the funds ap-
2	propriated by this Act and prior Acts making appro-
3	priations for the Department of State, foreign oper-
4	ations, and related programs may be made available
5	for assistance for the central government of a coun-
6	try the Secretary of State determines and reports to
7	the appropriate congressional committees engages in
8	significant transactions contributing materially to
9	the malicious cyber-intrusion capabilities of the Gov-
10	ernment of North Korea: Provided, That the Sec-
11	retary of State shall submit the report required by
12	section 209 of the North Korea Sanctions and Policy
13	Enhancement Act of 2016 (Public Law 114–122; 22
14	U.S.C. 9229), as amended, to the Committees on
15	Appropriations in the manner described in subpara-
16	graph (2)(A) of such section: Provided further, That
17	the Secretary of State may waive the application of
18	the restriction in this paragraph with respect to as-
19	sistance for the central government of a country if
20	the Secretary determines and reports to the appro-
21	priate congressional committees that to do so is im-
22	portant to the national security interest of the
23	United States, including a description of such inter-
24	est served.



1	(2) BROADCASTS.—Funds appropriated by this
2	Act under the heading "International Broadcasting
3	Operations" shall be made available to maintain
4	broadcasting hours into North Korea at levels not
5	less than the prior fiscal year.
6	(3) Refugees.—Funds appropriated by this
7	Act under the heading "Migration and Refugee As-
8	sistance" should be made available for assistance for
9	refugees from North Korea, including protection ac-
10	tivities in the People's Republic of China and other
11	countries in Asia.
12	(4) Human rights promotion, database,
13	AND LIMITATION ON USE OF FUNDS.—
14	(A) Human rights promotion.—Funds
15	appropriated by this Act under the headings
16	"Economic Support Fund" and "Democracy
17	Fund" shall be made available for the pro-
18	motion of human rights in North Korea: Pro-
19	vided, That the authority of section 7032(b) of
20	this Act shall apply to such funds.
21	(B) Database.—Funds appropriated by
22	this Act under title III shall be made available
23	to maintain a database of prisons and gulags in
24	North Korea, in accordance with section
25	7032(i) of the Department of State Foreign



1	Operations, and Related Programs Appropria-
2	tions Act, 2014 (division K of Public Law 113-
3	76).
4	(C) Limitation.—None of the funds made
5	available by this Act under the heading "Eco-
6	nomic Support Fund" may be made available
7	for assistance for the Government of North
8	Korea.
9	(e) People's Republic of China.—
10	(1) Limitation on use of funds.—None of
11	the funds appropriated under the heading "Diplo-
12	matic Programs" in this Act may be obligated or ex-
13	pended for processing licenses for the export of sat-
14	ellites of United States origin (including commercial
15	satellites and satellite components) to the People's
16	Republic of China (PRC) unless, at least 15 days in
17	advance, the Committees on Appropriations are noti-
18	fied of such proposed action.
19	(2) People's liberation army.—The terms
20	and requirements of section 620(h) of the Foreign
21	Assistance Act of 1961 shall apply to foreign assist-
22	ance projects or activities of the People's Liberation
23	Army (PLA) of the PRC, to include such projects or
24	activities by any entity that is owned or controlled



25

by, or an affiliate of, the PLA: Provided, That none

1	of the funds appropriated or otherwise made avail-
2	able pursuant to this Act may be used to finance
3	any grant, contract, or cooperative agreement with
4	the PLA, or any entity that the Secretary of State
5	has reason to believe is owned or controlled by, or
6	an affiliate of, the PLA.
7	(3) Authority and notification require-
8	MENT.—
9	(A) AUTHORITY.—The uses of funds made
10	available by this Act for the promotion of de-
11	mocracy in the PRC, except for funds made
12	available under subsection (g), shall be the re-
13	sponsibility of the Assistant Secretary for De-
14	mocracy, Human Rights, and Labor, Depart-
15	ment of State.
16	(B) Notification.—Funds appropriated
17	by this Act that are made available for trilateral
18	programs conducted with the PRC shall be sub-
19	ject to the regular notification procedures of the
20	Committees on Appropriations.
21	(f) Philippines.—None of the funds appropriated
22	by this Act under the heading "International Narcotics
23	Control and Law Enforcement" may be made available for
24	counternarcotics assistance for the Philippines, except for



1	drug demand reduction, maritime law enforcement, or
2	transnational interdiction.
3	(g) Tibet.—
4	(1) Financing of projects in tibet.—The
5	Secretary of the Treasury should instruct the United
6	States executive director of each international finan-
7	cial institution to use the voice and vote of the
8	United States to support financing of projects in
9	Tibet if such projects do not provide incentives for
10	the migration and settlement of non-Tibetans into
11	Tibet or facilitate the transfer of ownership of Ti-
12	betan land and natural resources to non-Tibetans,
13	are based on a thorough needs-assessment, foster
14	self-sufficiency of the Tibetan people and respect Ti-
15	betan culture and traditions, and are subject to ef-
16	fective monitoring.
17	(2) Programs for tibetan communities.—
18	(A) Tibet autonomous region.—Not-
19	withstanding any other provision of law, of the
20	funds appropriated by this Act under the head-
21	ing "Economic Support Fund", not less than
22	\$8,000,000 shall be made available to non-
23	governmental organizations to support activities
24	which preserve cultural traditions and promote

sustainable development, education, and envi-

1	ronmental conservation in Tibetan communities
2	in the Tibet Autonomous Region and in other
3	Tibetan communities in China.
4	(B) India and Nepal.—Of the funds ap-
5	propriated by this Act under the heading "Eco-
6	nomic Support Fund", not less than
7	\$6,000,000 shall be made available for pro-
8	grams to promote and preserve Tibetan culture.
9	development, and the resilience of Tibetan com-
10	munities in India and Nepal, and to assist in
11	the education and development of the next gen-
12	eration of Tibetan leaders from such commu-
13	nities: Provided, That such funds are in addi-
14	tion to amounts made available in subpara-
15	graph (A) for programs inside Tibet.
16	(C) TIBETAN GOVERNANCE.—Of the funds
17	appropriated by this Act under the heading
18	"Economic Support Fund", not less than
19	\$3,000,000 shall be made available for pro-
20	grams to strengthen the capacity of Tibetan in-
21	stitutions and governance.
22	(h) VIETNAM.—
23	(1) DIOXIN REMEDIATION.—Notwithstanding
24	any other provision of law, of the funds appropriated
25	by this Act under the heading "Economic Support



1	Fund", not less than \$20,000,000 shall be made
2	available for activities related to the remediation of
3	dioxin contaminated sites in Vietnam and may be
4	made available for assistance for the Government of
5	Vietnam, including the military, for such purposes.
6	(2) Health and disability programs.—Of
7	the funds appropriated by this Act under the head-
8	ing "Development Assistance", not less than
9	\$12,500,000 shall be made available for health and
10	disability programs in areas sprayed with Agent Or-
11	ange and otherwise contaminated with dioxin, to as-
12	sist individuals with severe upper or lower body mo-
13	bility impairment or cognitive or developmental dis-
14	abilities.
15	(3) Reconciliation programs.—Funds ap-
16	propriated by this Act under the heading "Economic
17	Support Fund" that are made available for assist-
18	ance for Vietnam shall be made available for rec-
19	onciliation programs to address war legacy issues.
20	SOUTH AND CENTRAL ASIA
21	Sec. 7044. (a) Afghanistan.—
22	(1) Funding and limitations.—Funds ap-
23	propriated by this Act under the headings "Eco-
24	nomic Support Fund" and "International Narcotics



1	Control and Law Enforcement' that are made avail-
2	able for assistance for Afghanistan—
3	(A) shall be made available to implement
4	the South Asia Strategy, the Revised Strategy
5	for United States Engagement in Afghanistan,
6	and the United States Agency for International
7	Development Country Development Cooperation
8	Strategy for Afghanistan;
9	(B) shall be made available for programs
10	in support of such strategies that protect and
11	strengthen the rights of women and girls and
12	promote the political and economic empower-
13	ment of women, including their meaningful in-
14	clusion in political processes: Provided, That
15	such assistance to promote the economic em-
16	powerment of women shall be made available as
17	grants to Afghan organizations, to the max-
18	imum extent practicable; and
19	(C) may not be made available for any pro-
20	gram, project, or activity that—
21	(i) cannot be sustained, as appro-
22	priate, by the Government of Afghanistan
23	or another Afghan entity;
24	(ii) is not accessible for the purposes
25	of conducting effective oversight in accord-



1	ance with applicable Federal statutes and
2	regulations;
3	(iii) initiates any new, major infra-
4	structure development; or
5	(iv) includes the participation of any
6	Afghan individual, organization, or govern-
7	ment entity if the Secretary of State has
8	credible information that such individual
9	organization, or entity is knowingly in
10	volved in acts of grand corruption, illicit
11	narcotics production or trafficking, or has
12	committed a gross violation of human
13	rights.
14	(2) Authorities.—
15	(A) Funds appropriated by this Act under
16	title III through VI that are made available for
17	assistance for Afghanistan may be made avail-
18	able—
19	(i) notwithstanding section 7012 of
20	this Act or any similar provision of law
21	and section 660 of the Foreign Assistance
22	Act of 1961;
23	(ii) for reconciliation programs and
24	disarmament, demobilization, and re-
25	integration activities for former combat



1	ants who have renounced violence against
2	the Government of Afghanistan, including
3	in accordance with section
4	7046(a)(2)(B)(ii) of the Department of
5	State, Foreign Operations, and Related
6	Programs Appropriations Act, 2012 (divi-
7	sion I of Public Law 112-74); and
8	(iii) for an endowment to empower
9	women and girls.
10	(B) Section 7046(a)(2)(A) of the Depart-
11	ment of State, Foreign Operations, and Related
12	Programs Appropriations Act, 2012 (division I
13	of Public Law 112-74) shall apply to funds ap-
14	propriated by this Act for assistance for Af-
15	ghanistan.
16	(3) Basing rights agreement.—None of the
17	funds made available by this Act may be used by the
18	United States Government to enter into a perma-
19	nent basing rights agreement between the United
20	States and Afghanistan.
21	(b) Nepal.—
22	(1) Assistance.—Of the funds appropriated
23	under titles III and IV of this Act, not less than
24	\$124,580,000 shall be made available for assistance



1	for Nepal, including for earthquake recovery and re-
2	construction programs.
3	(2) Foreign military financing pro-
4	GRAM.—Funds appropriated by this Act under the
5	heading "Foreign Military Financing Program"
6	shall only be made available for humanitarian and
7	disaster relief and reconstruction activities in Nepal,
8	and in support of international peacekeeping oper-
9	ations: Provided, That such funds may only be made
10	available for any additional uses if the Secretary of
11	State certifies and reports to the Committees on Ap-
12	propriations that the Government of Nepal is inves-
13	tigating and prosecuting violations of human rights
14	and the laws of war, and the Nepal Army is cooper-
15	ating fully with civilian judicial authorities in such
16	cases.
17	(c) Pakistan.—
18	(1) International security assistance.—
19	(A) Limitation.—Funds appropriated by
20	this Act under the heading "Foreign Military
21	Financing Program" for assistance for Paki-
22	stan may be made available only to support
23	counterterrorism and counterinsurgency capa-
24	bilities in Pakistan.



1	(B) Consultation.—Not later than 30
2	days after enactment of this Act, and prior to
3	the submission of the report required by section
4	653(a) of the Foreign Assistance Act of 1961
5	the Secretary of State shall consult with the
6	Committees on Appropriations on the amount
7	of funds appropriated by this Act under the
8	heading "Foreign Military Financing Program"
9	that is anticipated to be subject to the January
10	2018 policy decision of the United States to
11	suspend security assistance for Pakistan, or any
12	subsequent policy decision affecting such assist
13	ance: Provided, That the Secretary shall
14	promptly inform the appropriate congressiona
15	committees in writing of any changes to such
16	policy, the justification for such changes, and
17	the progress made by the Government of Paki
18	stan in meeting the counterterrorism objectives
19	described under this section in Senate Report
20	115–282.
21	(C) Reprogramming.—Funds appro-
22	priated by this Act and prior Acts making ap-
23	propriations for the Department of State, for
24	eign operations, and related programs under
25	the heading "Foreign Military Financing Pro-



1	gram" for assistance for Pakistan that are
2	withheld from obligation or expenditure by the
3	Department of State may be reprogrammed by
4	the Secretary of State, except that no such
5	funds may be reprogrammed that are required
6	to complete payment on existing and previously
7	approved contracts: Provided, That such re-
8	programming shall be subject to the regular no-
9	tification procedures of the Committees on Ap-
10	propriations.
11	(2) Bilateral economic assistance re-
12	PORT.—Prior to the obligation of funds made avail-
13	able by this Act under the heading "Economic Sup-
14	port Fund" for assistance for the central Govern-
15	ment of Pakistan, the Secretary of State shall sub-
16	mit a report to the appropriate congressional com-
17	mittees detailing—
18	(A) the amount of financing and other
19	support, if any, provided by the Government of
20	Pakistan to schools supported by, affiliated
21	with, or run by the Taliban or any domestic or
22	foreign terrorist organization in Pakistan;
23	(B) the extent of cooperation by such gov-
24	ernment in issuing visas in a timely manner for
25	United States visitors, including officials and



1	representatives of nongovernmental organiza-
2	tions, engaged in assistance and security pro-
3	grams in Pakistan;
4	(C) the extent to which such government is
5	providing humanitarian organizations access to
6	detainees, internally displaced persons, and
7	other Pakistani civilians affected by conflict in
8	Pakistan and the region; and
9	(D) the extent to which such government is
10	strengthening democracy in Pakistan, including
11	protecting freedom of expression, assembly, and
12	religion.
13	(3) Authority and uses of funds.—
14	(A) Funds appropriated by this Act for as-
15	sistance for Pakistan may be made available
16	notwithstanding any other provision of law, ex-
17	cept for section 620M of the Foreign Assistance
18	Act of 1961.
19	(B) Funds appropriated by this Act for as-
20	sistance for Pakistan that are made available
21	for infrastructure projects shall be implemented
22	in a manner consistent with section 507(6) of
23	the Trade Act of 1974 (19 U.S.C. 2467(6)).
24	(C) The authorities and directives of sec-
25	tion 7044(d)(4) of the Department of State,



1	Foreign Operations, and Related Programs Ap-
2	propriations Act, 2015 (division J of Public
3	Law 113–235) regarding scholarships for
4	women shall apply to funds appropriated by
5	this Act for assistance for Pakistan, following
6	consultation with the Committees on Appropria-
7	tions.
8	(D) Funds appropriated by this Act under
9	the headings "Economic Support Fund" and
10	"Nonproliferation, Anti-terrorism, Demining
11	and Related Programs" that are made available
12	for assistance for Pakistan shall be made avail-
13	able to interdict precursor materials from Paki-
14	stan to Afghanistan that are used to manufac-
15	ture improvised explosive devices and for agri-
16	culture extension programs that encourage al-
17	ternative fertilizer use among Pakistani farmers
18	to decrease the dual use of fertilizer in the
19	manufacturing of improvised explosive devices.
20	(E) Of the funds appropriated by this Act
21	under the heading "International Narcotics
22	Control and Law Enforcement" that are made
23	available for assistance for Pakistan, not less
24	than \$15,000,000 shall be made available for



border security programs in Pakistan, following

1	consultation with the Committees on Appropria-
2	tions.
3	(F) Funds appropriated by title III of this
4	Act shall be made available for programs to
5	promote democracy in Pakistan.
6	(4) Withholding.—Of the funds appropriated
7	under titles III and IV of this Act that are made
8	available for assistance for Pakistan, \$33,000,000
9	shall be withheld from obligation until the Secretary
10	of State reports to the Committees on Appropria-
11	tions that Dr. Shakil Afridi has been released from
12	prison and cleared of all charges relating to the as-
13	sistance provided to the United States in locating
14	Osama bin Laden.
15	(5) Oversight.—The Secretary of State shall
16	take all practicable steps to ensure that mechanisms
17	are in place for monitoring, oversight, and control of
18	funds made available by this subsection for assist-
19	ance for Pakistan: Provided, That the Secretary
20	shall inform the Committees on Appropriations of
21	such steps in a timely manner.
22	(d) Sri Lanka.—
23	(1) Bilateral economic assistance.—
24	Funds appropriated under title III of this Act shall
25	be made available for assistance for Sri Lanka for



1	economic development and democracy programs
2	particularly in areas recovering from ethnic and reli-
3	gious conflict: Provided, That such funds shall be
4	made available for programs to assist in the identi-
5	fication and resolution of cases of missing persons
6	(2) Certification.—Funds appropriated by
7	this Act for assistance for the central Government of
8	Sri Lanka, except for funds made available for hu-
9	manitarian assistance and victims of trauma, may be
10	made available only if the Secretary of State certifies
11	and reports to the Committees on Appropriations
12	that the Government of Sri Lanka is—
13	(A) repealing laws that do not comply with
14	international standards for arrest and detention
15	by security forces, and ensuring that any suc-
16	cessor legislation meets such standards;
17	(B) increasing accountability and trans-
18	parency in governance;
19	(C) investigating allegations of arbitrary
20	arrest and torture, and supporting a credible
21	justice mechanism in compliance with United
22	Nations Human Rights Council Resolution (A
23	HCR/RES/30/1) of October 2015;
24	(D) returning military occupied lands in
25	former conflict zones to their rightful owners or



1	compensating those whose land was confiscated
2	without due process, and which is in addition to
3	steps taken during the previous calendar year;
4	(E) establishing a functioning office of
5	missing persons and assisting its investigations
6	of cases of missing persons from Sri Lanka's
7	internal armed conflicts with the cooperation of
8	the armed forces of Sri Lanka; and
9	(F) substantially reducing the presence of
10	the armed forces in former conflict zones and
11	implementing a plan for restructuring the
12	armed forces to adopt a peacetime role that
13	contributes to post-conflict reconciliation and
14	regional security.
15	(3) International security assistance.—
16	Funds appropriated under title IV of this Act that
17	are available for assistance for Sri Lanka shall be
18	subject to the following conditions—
19	(A) not to exceed \$500,000 under the
20	heading "Foreign Military Financing Program"
21	may only be made available for programs to
22	support humanitarian and disaster response
23	preparedness and maritime security, including
24	professionalization and training for the navy
25	and coast guard; and



1	(B) funds under the heading "Peace-
2	keeping Operations" may only be made avail-
3	able for training and equipment related to
4	international peacekeeping operations and im-
5	provements to peacekeeping-related facilities,
6	and only if the Government of Sri Lanka is tak-
7	ing effective steps to bring to justice Sri
8	Lankan peacekeeping troops who have engaged
9	in sexual exploitation and abuse.
10	(e) REGIONAL PROGRAMS.—
11	(1) Cross Border Programs.—Funds appro-
12	priated by this Act under the heading "Economic
13	Support Fund" for assistance for Afghanistan and
14	Pakistan may be provided, notwithstanding any
15	other provision of law that restricts assistance to
16	foreign countries, for cross border stabilization and
17	development programs between Afghanistan and
18	Pakistan, or between either country and the Central
19	Asian countries.
20	(2) Security and Justice programs.—
21	Funds appropriated by this Act that are made avail-
22	able for assistance for countries in South and Cen-
23	tral Asia shall be made available to accelerate the re-



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cruitment and enhance the retention and profes-

1	sionalism of women in the judiciary, police, and
2	other security forces.
3	LATIN AMERICA AND THE CARIBBEAN
4	Sec. 7045. (a) Central America.—
5	(1) Conditions on assistance for the cen-
6	TRAL GOVERNMENTS OF EL SALVADOR, GUATEMALA,
7	AND HONDURAS.—Of the funds appropriated by this
8	Act under titles III and IV that are made available
9	for assistance for each of the central governments of
10	El Salvador, Guatemala, and Honduras, 50 percent
11	may only be obligated after the Secretary of State
12	certifies and reports to the appropriate congressional
13	committees that such government is—
14	(A) informing its citizens of the dangers of
15	the journey to the southwest border of the
16	United States;
17	(B) combating human smuggling and traf-
18	ficking;
19	(C) improving border security, including
20	preventing illegal migration, human smuggling
21	and trafficking, and trafficking of illicit drugs
22	and other contraband;
23	(D) cooperating with United States Gov-
24	ernment agencies and other governments in the
25	region to facilitate the return, repatriation, and



1	reintegration of illegal migrants arriving at the
2	southwest border of the United States who do
3	not qualify for asylum, consistent with inter-
4	national law;
5	(E) working cooperatively with an autono-
6	mous, publicly accountable entity to provide
7	oversight of the Plan of the Alliance for Pros-
8	perity in the Northern Triangle in Central
9	America (the Plan);
10	(F) combating corruption, including inves-
11	tigating and prosecuting current and former
12	government officials credibly alleged to be cor-
13	$\operatorname{rupt};$
14	(G) implementing reforms, policies, and
15	programs to increase transparency and
16	strengthen public institutions and the rule of
17	law;
18	(H) working with local communities, civil
19	society organizations (including indigenous and
20	other marginalized groups), and local govern-
21	ments in the implementation and evaluation of
22	activities of the Plan;
23	(I) countering the activities of criminal
24	gangs, drug traffickers, and transnational
25	criminal organizations;



1	(J) investigating and prosecuting in the ci-
2	vilian justice system government personnel who
3	are credibly alleged to have violated human
4	rights;
5	(K) cooperating with commissions against
6	corruption and impunity and with regional
7	human rights entities;
8	(L) supporting programs to reduce pov-
9	erty, expand education and vocational training
10	for at-risk youth, create jobs, and promote equi-
11	table economic growth, particularly in areas
12	contributing to large numbers of migrants;
13	(M) creating a professional, accountable ci-
14	vilian police force and ending the role of the
15	military in internal policing;
16	(N) protecting the right of political opposi-
17	tion parties and other members of civil society
18	to operate without interference;
19	(O) implementing tax reforms; and
20	(P) resolving commercial disputes.
21	(2) Determinations and impact on assist-
22	ANCE.—
23	(A) Insufficient progress.—The Sec-
24	retary of State shall periodically review the
25	progress of each of the central governments of



1	El Salvador, Guatemala, and Honduras in
2	meeting the requirements of paragraph (1):
3	Provided, That if the Secretary determines and
4	reports to the appropriate congressional com-
5	mittees that sufficient progress has not been
6	made by such government in meeting such re-
7	quirements, the Secretary shall suspend, in
8	whole or in part, assistance for such govern-
9	ment for programs supporting such require-
10	ment, and shall notify the appropriate congres-
11	sional committees in writing of such action:
12	Provided further, That the Secretary may re-
13	sume such assistance if the Secretary deter-
14	mines and reports to such committees that cor-
15	rective measures have been taken by such gov-
16	ernment.
17	(B) Change in National Govern-
18	MENT.—Not later than 90 days following a
19	change of national government in El Salvador,
20	Guatemala, or Honduras, the Secretary of State
21	shall determine whether or not such government
22	is meeting the requirements of paragraph (1)
23	and submit a report to the appropriate congres-
24	sional committees detailing the reasons for such



25

determination: Provided, That if the Secretary

1	determines that such government is not meeting
2	such requirements, then the Secretary shall sus-
3	pend, in whole or in part, assistance for such
4	country until such time as such determination
5	and report can be made.
6	(C) Reprogramming.—Assistance sus-
7	pended pursuant to subparagraphs (A) or (B)
8	may be reprogrammed if the Secretary of State
9	determines that corrective measures have not
10	been taken: Provided, That any such re-
11	programming shall only be made available for
12	assistance for other countries in Latin America
13	and the Caribbean and shall be subject to the
14	regular notification procedures of the Commit-
15	tees on Appropriations.
16	(3) Consultation.—The Secretary of State
17	shall consult with the Committees on Appropriations
18	not less than 14 days prior to submitting any certifi-
19	cation made pursuant to subsection (a)(1) and any
20	suspension or reprogramming made pursuant to sub-
21	section $(a)(2)$.
22	(4) Exceptions and limitations.—
23	(A) Exceptions.—The limitation of para-
24	graph (1) shall not apply to funds appropriated
25	by this Act that are made available for the



1	International Commission against Impunity in
2	Guatemala, the Mission to Support the Fight
3	against Corruption and Impunity in Honduras,
4	humanitarian assistance, and food security pro-
5	grams.
6	(B) Limitations.—None of the funds ap-
7	propriated by this Act that are made available
8	for assistance for countries in Central America
9	may be made available for direct government-
0	to-government assistance or for major infra-
1	structure projects.
2	(b) Colombia.—
3	(1) Assistance.—Of the funds appropriated by
4	this Act under titles III and IV, not less than
5	\$418,253,000 shall be made available for assistance
6	for Colombia, including to support the efforts of the
7	Government of Colombia to—
8	(A) conduct a unified campaign against
9	narcotics trafficking, organizations designated
20	as foreign terrorist organizations pursuant to
21	section 219 of the Immigration and Nationality
22	Act (8 U.S.C. 1189), and other criminal or ille-
23	gal armed groups: Provided, That aircraft sup-
24	ported by funds made available by this Act and
25	prior Acts making appropriations for the De-



1	partment of State, foreign operations, and re-
2	lated programs may be used to transport per
3	sonnel and supplies involved in drug eradication
4	and interdiction, including security for such ac
5	tivities, and to provide transport in support of
6	alternative development programs and inves-
7	tigations by civilian judicial authorities;
8	(B) enhance security and stability in Co-
9	lombia and the region;
10	(C) strengthen and expand governance, the
11	rule of law, and access to justice throughout
12	Colombia;
13	(D) promote economic and social develop-
14	ment, including by improving access to areas
15	impacted by conflict through demining pro-
16	grams;
17	(E) assist communities impacted by signifi-
18	cant refugee or migrant populations; and
19	(F) implement a peace agreement between
20	the Government of Colombia and illegal armed
21	groups, in accordance with constitutional and
22	legal requirements in Colombia.
23	(2) Limitation.—None of the funds appro-
24	priated by this Act or prior Acts making appropria
25	tions for the Department of State foreign open



1	ations, and related programs that are made available
2	for assistance for Colombia may be made available
3	for payment of reparations to conflict victims of
4	compensation to demobilized combatants associated
5	with a peace agreement between the Government of
6	Colombia and illegal armed groups.
7	(3) Counternarcotics.—Of the funds appro
8	priated by this Act under the headings "Economic
9	Support Fund" and "International Narcotics Con
10	trol and Law Enforcement" and made available for
11	counternarcotics assistance for Colombia, 20 percent
12	may be obligated only after the Secretary of State
13	certifies and reports to the Committees on Appro
14	priations that the Government of Colombia has re
15	duced overall illicit drug cultivation, production, and
16	trafficking.
17	(4) Human rights.—Of the funds appro
18	priated by this Act under the heading "Foreign Mili
19	tary Financing Program" and made available for as
20	sistance for Colombia, 20 percent may be obligated
21	only after the Secretary of State certifies and re
22	ports to the Committees on Appropriations that—
23	(A) the Special Jurisdiction for Peace and
24	other judicial authorities are taking effective



steps to hold accountable perpetrators of gross

1	violations of human rights in a manner con-
2	sistent with international law, including for
3	command responsibility, and sentence them to
4	deprivation of liberty;
5	(B) the Government of Colombia is taking
6	effective steps to reduce attacks against human
7	rights defenders and other civil society activists,
8	trade unionists, and journalists, and judicial au-
9	thorities are prosecuting those responsible for
10	such attacks; and
11	(C) senior military officers responsible for
12	ordering, committing, and covering up cases of
13	false positives are being held accountable, in-
14	cluding removal from active duty if found guilty
15	through criminal or disciplinary proceedings.
16	(5) Exceptions.—The limitations of para-
17	graphs (3) and (4) shall not apply to funds made
18	available for aviation instruction and maintenance,
19	and maritime and riverine security programs.
20	(e) Haiti.—
21	(1) Certification.—Funds appropriated by
22	this Act under the headings "Development Assist-
23	ance" and "Economic Support Fund" that are made
24	available for assistance for Haiti may not be made
25	available for assistance for the central Government



1	of Haiti unless the Secretary of State certifies and
2	reports to the Committees on Appropriations that
3	such government is taking effective steps, which are
4	steps taken since the certification and report sub-
5	mitted during the prior year, if applicable, to—
6	(A) strengthen the rule of law in Haiti, in-
7	cluding by—
8	(i) selecting judges in a transparent
9	manner based on merit;
0	(ii) reducing pre-trial detention;
1	(iii) respecting the independence of
2	the judiciary; and
3	(iv) improving governance by imple-
4	menting reforms to increase transparency
5	and accountability, including through the
6	penal and criminal codes;
7	(B) combat corruption, including by imple-
8	menting the anti-corruption law enacted in
9	2014 and prosecuting corrupt officials;
20	(C) increase government revenues, includ-
21	ing by implementing tax reforms, and increas-
22	ing expenditures on public services; and
23	(D) resolve commercial disputes between
24	United States entities and the Government of
25	Haiti



1	(2) Haitian coast guard.—The Government
2	of Haiti shall be eligible to purchase defense articles
3	and services under the Arms Export Control Act (22
4	U.S.C. 2751 et seq.) for the Coast Guard.
5	(d) Venezuela.—Of the funds appropriated by this
6	Act under the heading "Economic Support Fund", not
7	less than \$17,500,000 shall be made available for pro-
8	grams to promote democracy and the rule of law in Ven-
9	ezuela.
10	EUROPE AND EURASIA
11	Sec. 7046. (a) Assistance.—
12	(1) Georgia.—Of the funds appropriated by
13	this Act under titles III and IV, not less than
14	\$127,025,000 shall be made available for assistance
15	for Georgia.
16	(2) Ukraine.—Of the funds appropriated by
17	this Act under titles III and IV, not less than
18	\$445,700,000 shall be made available for assistance
19	for Ukraine.
20	(b) Limitation.—None of the funds appropriated by
21	this Act may be made available for assistance for a govern-
22	ment of an Independent State of the former Soviet Union
23	if such government directs any action in violation of the
24	territorial integrity or national sovereignty of any other
25	Independent State of the former Soviet Union, such as



1	those violations included in the Helsinki Final Act: Pro-
2	vided, That except as otherwise provided in section
3	7047(a) of this Act, funds may be made available without
4	regard to the restriction in this subsection if the President
5	determines that to do so is in the national security interest
6	of the United States: Provided further, That prior to exe-
7	cuting the authority contained in the previous proviso, the
8	Secretary of State shall consult with the Committees on
9	Appropriations on how such assistance supports the na-
10	tional security interest of the United States.
11	(c) Section 907 of the Freedom Support
12	Act.—Section 907 of the FREEDOM Support Act (22 $$
13	U.S.C. 5812 note) shall not apply to—
14	(1) activities to support democracy or assist-
15	ance under title V of the FREEDOM Support Act
16	$(22~\mathrm{U.S.C.}~5851~\mathrm{et}~\mathrm{seq.})$ and section $1424~\mathrm{of}~\mathrm{the}$
17	Defense Against Weapons of Mass Destruction Act
18	of 1996 (50 U.S.C. 2333) or non-proliferation as-
19	sistance;
20	(2) any assistance provided by the Trade and
21	Development Agency under section 661 of the For-
22	eign Assistance Act of 1961 (22 U.S.C. 2421);
23	(3) any activity carried out by a member of the
24	United States and Foreign Commercial Service while
25	acting within his or her official capacity;



1	(4) any insurance, reinsurance, guarantee, or
2	other assistance provided by the Overseas Private
3	Investment Corporation under title IV of chapter 2
4	of part I of the Foreign Assistance Act of 1961 (22
5	U.S.C. 2191 et seq.);
6	(5) any financing provided under the Export-
7	Import Bank Act of 1945 (Public Law 79–173); or
8	(6) humanitarian assistance.
9	(d) Turkey.—
10	(1) Turkish presidential protection di-
11	RECTORATE.—None of the funds made available by
12	this Act may be used to facilitate or support the sale
13	of defense articles or defense services to the Turkish
14	Presidential Protection Directorate (TPPD) under
15	chapter 2 of the Arms Export Control Act (22
16	U.S.C. 2761 et seq.), unless the Secretary of State
17	determines and reports to the appropriate congres-
18	sional committees that members of the TPPD that
19	are named in the July 17, 2017 indictment by the
20	Superior Court of the District of Columbia, and
21	against whom charges are pending, have returned to
22	the United States to stand trial in connection with
23	the offenses contained in such indictment or have
24	otherwise been brought to justice: Provided, That
25	the limitation in this paragraph shall not apply to



1	the use of funds made available by this Act for bor-
2	der security purposes, for North Atlantic Treaty Or-
3	ganization or coalition operations, or to enhance the
4	protection of United States officials and facilities in
5	Turkey.
6	(2) Restriction on funds.—
7	(A) Not later than November 1, 2019, but
8	no sooner than six months after enactment of
9	this Act, the Secretary of State, in consultation
10	with the Secretary of Defense, shall submit an
11	update to the report required by section 1282
12	of the John S. McCain National Defense Au-
13	thorization Act for Fiscal Year 2019 (Public
14	Law 115–232) regarding the purchase by the
15	Republic of Turkey of the S-400 missile de-
16	fense system from the Russian Federation: Pro-
17	vided, That such report shall also include a de-
18	tailed description of plans for the imposition of
19	sanctions, if appropriate, for such purchase
20	pursuant to section 231 of the Countering Rus-
21	sian Influence in Europe and Eurasia Act of
22	2017 (Public Law 115–44).
23	(B) None of the funds appropriated by this
24	Act and prior Acts making appropriations for

the Department of State, foreign operations,

1	and related programs may be made available to
2	deliver F-35 aircraft to the territory of the Re-
3	public of Turkey until the report in subpara-
4	graph (A) is submitted to the Congress.
5	COUNTERING RUSSIAN INFLUENCE AND AGGRESSION
6	Sec. 7047. (a) Limitation.—None of the funds ap-
7	propriated by this Act may be made available for assist-
8	ance for the central Government of the Russian Federa-
9	tion.
10	(b) Annexation of Crimea.—
11	(1) None of the funds appropriated by this Act
12	may be made available for assistance for the central
13	government of a country that the Secretary of State
14	determines and reports to the Committees on Appro-
15	priations has taken affirmative steps intended to
16	support or be supportive of the Russian Federation
17	annexation of Crimea or other territory in Ukraine:
18	Provided, That except as otherwise provided in sub-
19	section (a), the Secretary may waive the restriction
20	on assistance required by this paragraph if the Sec-
21	retary determines and reports to such Committees
22	that to do so is in the national interest of the United
23	States, and includes a justification for such interest.
24	(2) None of the funds appropriated by this Act
25	may be made available for—



1	(A) the implementation of any action of
2	policy that recognizes the sovereignty of the
3	Russian Federation over Crimea or other terri
4	tory in Ukraine;
5	(B) the facilitation, financing, or guarantee
6	of United States Government investments in
7	Crimea or other territory in Ukraine under the
8	control of Russian-backed separatists, if such
9	activity includes the participation of Russian
10	Government officials, or other Russian owned
11	or controlled financial entities; or
12	(C) assistance for Crimea or other terri
13	tory in Ukraine under the control of Russian
14	backed separatists, if such assistance includes
15	the participation of Russian Government offi
16	cials, or other Russian owned or controlled fi
17	nancial entities.
18	(3) The Secretary of the Treasury shall instruc
19	the United States executive directors of each inter
20	national financial institution to vote against any as
21	sistance by such institution (including any loan
22	credit, or guarantee) for any program that violates
23	the sovereignty or territorial integrity of Ukraine.
24	(4) The requirements and limitations of this
25	subsection shall cease to be in effect if the Secretary



1	of State determines and reports to the Committees
2	on Appropriations that the Government of Ukraine
3	has reestablished sovereignty over Crimea and other
4	territory in Ukraine under the control of Russian-
5	backed separatists.
6	(c) Occupation of the Georgian Territories of
7	ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—
8	(1) None of the funds appropriated by this Act
9	may be made available for assistance for the central
10	government of a country that the Secretary of State
11	determines and reports to the Committees on Appro-
12	priations has recognized the independence of, or has
13	established diplomatic relations with, the Russian oc-
14	cupied Georgian territories of Abkhazia and
15	Tskhinvali Region/South Ossetia: Provided, That the
16	Secretary shall publish on the Department of State
17	website a list of any such central governments in a
18	timely manner: Provided further, That the Secretary
19	may waive the restriction on assistance required by
20	this paragraph if the Secretary determines and re-
21	ports to the Committees on Appropriations that to
22	do so is in the national interest of the United States,
23	and includes a justification for such interest.
24	(2) None of the funds appropriated by this Act
25	may be made available to support the Russian occu-



1	pation of the Georgian territories of Abkhazia and
2	Tskhinvali Region/South Ossetia.
3	(3) The Secretary of the Treasury shall instruct
4	the United States executive directors of each inter-
5	national financial institution to vote against any as-
6	sistance by such institution (including any loan,
7	credit, or guarantee) for any program that violates
8	the sovereignty and territorial integrity of Georgia.
9	(d) Countering Russian Influence Fund.—
10	(1) Of the funds appropriated by this Act under
11	the headings "Assistance for Europe, Eurasia and
12	Central Asia", "International Narcotics Control and
13	Law Enforcement", "International Military Edu-
14	cation and Training", and "Foreign Military Fi-
15	nancing Program", not less than \$275,000,000 shall
16	be made available to carry out the purposes of the
17	Countering Russian Influence Fund, as authorized

19	in Europe and Eurasia Act of 2017 (Public Law
20	115-44; 22 U.S.C. 9543) and notwithstanding the

by section 254 of the Countering Russian Influence

21 country limitation in subsection (b) of such section,

and programs to enhance the capacity of law en-

23 forcement and security forces in countries in Europe

and Eurasia and strengthen security cooperation be-

1	tween such countries and the United States and the
2	North Atlantic Treaty Organization, as appropriate
3	(2) Funds appropriated by this Act and made
4	available for assistance for the Eastern Partnership
5	countries shall be made available to advance the im-
6	plementation of Association Agreements and trade
7	agreements with the European Union, and to reduce
8	their vulnerability to external economic and political
9	pressure from the Russian Federation.
10	(e) Democracy Programs.—Funds appropriated by
11	this Act shall be made available to support democracy pro-
12	grams in the Russian Federation, including to promote
13	Internet freedom, and shall also be made available to sup-
14	port the democracy and rule of law strategy required by
15	section 7071(d) of the Department of State, Foreign Op-
16	erations, and Related Programs Appropriations Act, 2014
17	(division K of Public Law 113–76).
18	UNITED NATIONS
19	Sec. 7048. (a) Transparency and Account-
20	ABILITY.—
21	(1) Restrictions.—Of the funds appropriated
22	under title I and under the heading "International
23	Organizations and Programs" in title V of this Act
24	that are available for contributions to the United
25	Nations (including the Department of Peacekeeping



1	Operations), any United Nations agency, or the Or-
2	ganization of American States, 15 percent may not
3	be obligated for such organization, department, or
4	agency until the Secretary of State determines and
5	reports to the Committees on Appropriations that
6	the organization, department, or agency is—
7	(A) posting on a publicly available website,
8	consistent with privacy regulations and due
9	process, regular financial and programmatic au-
10	dits of such organization, department, or agen-
11	cy, and providing the United States Govern-
12	ment with necessary access to such financial
13	and performance audits;
14	(B) effectively implementing and enforcing
15	policies and procedures which reflect best prac-
16	tices for the protection of whistleblowers from
17	retaliation, including best practices for—
18	(i) protection against retaliation for
19	internal and lawful public disclosures;
20	(ii) legal burdens of proof;
21	(iii) statutes of limitation for report-
22	ing retaliation;
23	(iv) access to independent adjudicative
24	hodies including external arbitration, and



1	(v) results that eliminate the effects of
2	proven retaliation; and
3	(C) effectively implementing and enforcing
4	policies and procedures on the appropriate use
5	of travel funds, including restrictions on first
6	class and business class travel.
7	(2) Waiver.—The restrictions imposed by or
8	pursuant to paragraph (1) may be waived on a case-
9	by-case basis if the Secretary of State determines
10	and reports to the Committees on Appropriations
11	that such waiver is necessary to avert or respond to
12	a humanitarian crisis.
13	(b) Restrictions on United Nations Delega-
14	TIONS AND ORGANIZATIONS.—
15	(1) Restrictions on united states delega-
16	TIONS.—None of the funds made available by this
17	Act may be used to pay expenses for any United
18	States delegation to any specialized agency, body, or
19	commission of the United Nations if such agency,
20	body, or commission is chaired or presided over by
21	a country, the government of which the Secretary of
22	State has determined, for purposes of section $6(j)(1)$
23	of the Export Administration Act of 1979 as contin-
24	ued in effect pursuant to the International Emer-



1	gency	Economic	Powers	Act	(50	U.S.C.	App.
2	2405(j)(1)), suppo	orts interr	nation	al ter	rorism.	
3	(2	2) Restric	TIONS ON	CON	TRIBU	TIONS.—	-None

- (2) RESTRICTIONS ON CONTRIBUTIONS.—None of the funds made available by this Act may be used by the Secretary of State as a contribution to any organization, agency, commission, or program within the United Nations system if such organization, agency, commission, or program is chaired or presided over by a country the government of which the Secretary of State has determined, for purposes of section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, section 6(j)(1) of the Export Administration Act of 1979, or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.
 - (3) WAIVER.—The Secretary of State may waive the restriction in this subsection if the Secretary determines and reports to the Committees on Appropriations that to do so is important to the national interest of the United States, including a description of the national interest served.
- (c) United Nations Human Rights Council.—
 None of the funds appropriated by this Act may be made
 available in support of the United Nations Human Rights

- 1 Council unless the Secretary of State determines and re-
- 2 ports to the Committees on Appropriations that participa-
- 3 tion in the Council is important to the national interest
- 4 of the United States and that such Council is taking sig-
- 5 nificant steps to remove Israel as a permanent agenda
- 6 item and ensure integrity in the election of members to
- 7 such Council: Provided, That such report shall include a
- 8 description of the national interest served and the steps
- 9 taken to remove Israel as a permanent agenda item and
- 10 ensure integrity in the election of members to such Coun-
- 11 cil: Provided further, That the Secretary of State shall re-
- 12 port to the Committees on Appropriations not later than
- 13 September 30, 2019, on the resolutions considered in the
- 14 United Nations Human Rights Council during the pre-
- 15 vious 12 months, and on steps taken to remove Israel as
- 16 a permanent agenda item and ensure integrity in the elec-
- 17 tion of members to such Council.
- 18 (d) United Nations Relief and Works Agen-
- 19 CY.—Prior to the initial obligation of funds for the United
- 20 Nations Relief and Works Agency (UNRWA), the Sec-
- 21 retary of State shall report to the Committees on Appro-
- 22 priations, in writing, on whether UNRWA is—
- 23 (1) utilizing Operations Support Officers in the
- West Bank, Gaza, and other fields of operation to



1	inspect UNRWA installations and reporting any in-
2	appropriate use;
3	(2) acting promptly to address any staff or ben-
4	eficiary violation of its own policies (including the
5	policies on neutrality and impartiality of employees
6	and the legal requirements under section 301(c) of
7	the Foreign Assistance Act of 1961;
8	(3) implementing procedures to maintain the
9	neutrality of its facilities, including implementing a
10	no-weapons policy, and conducting regular inspec-
11	tions of its installations, to ensure they are only
12	used for humanitarian or other appropriate pur-
13	poses;
14	(4) taking necessary and appropriate measures
15	to ensure it is operating in compliance with the con-
16	ditions of section 301(c) of the Foreign Assistance
17	Act of 1961 and continuing regular reporting to the
18	Department of State on actions it has taken to en-
19	sure conformance with such conditions;
20	(5) taking steps to ensure the content of al
21	educational materials currently taught in UNRWA
22	administered schools and summer camps is con-
23	sistent with the values of human rights, dignity, and
24	tolerance and does not induce incitement;



1	(6) not engaging in operations with financial in-
2	stitutions or related entities in violation of relevant
3	United States law, and is taking steps to improve
4	the financial transparency of the organization; and
5	(7) in compliance with the United Nations
6	Board of Auditors' biennial audit requirements and
7	is implementing in a timely fashion the Board's rec-
8	ommendations.
9	(e) Prohibition of Payments to United Na-
10	TIONS MEMBERS.—None of the funds appropriated or
11	made available pursuant to titles III through VI of this
12	Act for carrying out the Foreign Assistance Act of 1961,
13	may be used to pay in whole or in part any assessments,
14	arrearages, or dues of any member of the United Nations
15	or, from funds appropriated by this Act to carry out chap-
16	ter 1 of part I of the Foreign Assistance Act of 1961,
17	the costs for participation of another country's delegation
18	at international conferences held under the auspices of
19	multilateral or international organizations.
20	(f) Capital Projects.—Any operating plan sub-
21	mitted pursuant to this Act for funds made available
22	under the heading "Contributions to International Organi-
23	zations" shall include information on capital projects, as
24	described under such heading in House Report 115–253.



1	(g) Report.—Not later than 45 days after enact-
2	ment of this Act, the Secretary of State shall submit a
3	report to the Committees on Appropriations detailing the
4	amount of funds available for obligation or expenditure in
5	fiscal year 2019 for contributions to any organization, de-
6	partment, agency, or program within the United Nations
7	system or any international program that are withheld
8	from obligation or expenditure due to any provision of law:
9	Provided, That the Secretary shall update such report
10	each time additional funds are withheld by operation of
11	any provision of law: Provided further, That the re-
12	programming of any withheld funds identified in such re-
13	port, including updates thereof, shall be subject to prior
14	consultation with, and the regular notification procedures
15	of, the Committees on Appropriations.
16	(h) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
17	KEEPING OPERATIONS.—
18	(1) In general.—Funds appropriated by this
19	Act shall be made available to implement section
20	301 of the Department of State Authorities Act,
21	Fiscal Year 2017 (Public Law 114–323).
22	(2) WITHHOLDING OF FUNDS.—The Secretary
23	of State should withhold assistance to any unit of
24	the security forces of a foreign country if the Sec-
25	retary has credible information that such unit has



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1	engaged in sexual exploitation or abuse, including
2	while serving in a United Nations peacekeeping op-
3	eration, until the Secretary determines that the gov-
4	ernment of such country is taking effective steps to
5	hold the responsible members of such unit account-
6	able and to prevent future incidents: Provided, That
7	the Secretary shall promptly notify the government
8	of each country subject to any withholding of assist-
9	ance pursuant to this paragraph, and shall notify
10	the appropriate congressional committees of such
11	withholding not later than 10 days after a deter-
12	mination to withhold such assistance is made: Pro-
13	vided further, That the Secretary shall, to the max-
14	imum extent practicable, assist such government in
15	bringing the responsible members of such unit to
16	justice.
17	(i) Additional Availability.—Subject to the reg-
18	ular notification procedures of the Committees on Appro-
19	priations, funds appropriated by this Act which are re-
20	turned or not made available due to the implementation
21	of subsection (a), the second proviso under the heading
22	"Contributions for International Peacekeeping Activities"
23	in title I of this Act, or section 307(a) of the Foreign As-
24	sistance Act of 1961 (22 U.S.C. 2227(a)), shall remain
25	available for obligation until September 30, 2020; Pro-



1	vided, That the requirement to withhold funds for pro-
2	grams in Burma under section 307(a) of the Foreign As-
3	sistance Act of 1961 shall not apply to funds appropriated
4	by this Act.
5	(j) NATIONAL SECURITY INTEREST WITH-
6	HOLDING.—
7	(1) WITHHOLDING.—The Secretary of State
8	shall withhold 5 percent of the funds appropriated
9	by this Act under the heading "Contributions to
10	International Organizations" for a specialized agen-
11	cy or other entity of the United Nations if the Sec-
12	retary, in consultation with the United States Am-
13	bassador to the United Nations, determines and re-
14	ports to the Committees on Appropriations that such
15	agency or entity has taken an official action that is
16	against the national security interest of the United
17	States or an ally of the United States, including
18	Israel.
19	(2) Release of funds.—The Secretary of
20	State, in consultation with the United States Am-
21	bassador to the United Nations, may release funds
22	withheld pursuant to paragraph (1) if the Secretary
23	determines and reports to the Committees on Appro-
24	priations that such agency or entity is taking steps



1	to address the action that resulted in the with-
2	holding of such funds.
3	(3) Reprogramming.—Should the Secretary of
4	State be unable to make a determination pursuant
5	to paragraph (2) regarding the release of withheld
6	funds, such funds may be reprogrammed for other
7	purposes under the heading "Contributions to Inter-
8	national Organizations".
9	(4) Waiver.—The Secretary of State, following
10	consultation with the Committees on Appropriations,
11	may waive the requirements of this subsection if the
12	Secretary determines that to do so in the national
13	interest.
14	(k) Transfer of Funds.—Of the funds appro-
15	priated by this Act under the heading "Economic Support
16	Fund", $\$25,000,000$ shall be transferred to, and merged
17	with, funds appropriated under the heading "International
18	Organizations and Programs", of which $$23,000,000$ shall
19	be for a contribution to support the United Nations resi-
20	dent coordinator system and $$2,000,000$ shall be for a
21	contribution to the Montreal Protocol Multilateral Fund.
22	LAW ENFORCEMENT AND SECURITY
23	Sec. 7049. (a) Assistance.—
24	(1) COMMUNITY-BASED POLICE ASSISTANCE.—
25	Funds made available under titles III and IV of this



1	Act to carry out the provisions of chapter 1 of part
2	I and chapters 4 and 6 of part II of the Foreign As-
3	sistance Act of 1961, may be used, notwithstanding
4	section 660 of that Act, to enhance the effectiveness
5	and accountability of civilian police authority
6	through training and technical assistance in human
7	rights, the rule of law, anti-corruption, strategic
8	planning, and through assistance to foster civilian
9	police roles that support democratic governance, in-
10	cluding assistance for programs to prevent conflict,
11	respond to disasters, address gender-based violence,
12	and foster improved police relations with the com-
13	munities they serve.
14	(2) Combat Casualty Care.—
15	(A) Consistent with the objectives of the
16	Foreign Assistance Act of 1961 and the Arms
17	Export Control Act, funds appropriated by this
18	Act under the headings "Peacekeeping Oper-
19	ations" and "Foreign Military Financing Pro-
20	gram" shall be made available for combat cas-
21	ualty training and equipment.
22	(B) The Secretary of State shall offer com-
23	bat casualty care training and equipment as a

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component of any package of lethal assistance

funded by this Act with funds appropriated

1	under the headings "Peacekeeping Operations"
2	and "Foreign Military Financing Program":
3	Provided, That the requirement of this subpara-
4	graph shall apply to a country in conflict, un-
5	less the Secretary determines that such country
6	has in place, to the maximum extent prac-
7	ticable, functioning combat casualty care treat-
8	ment and equipment that meets or exceeds the
9	standards recommended by the Committee on
10	Tactical Combat Casualty Care: Provided fur-
11	ther, That any such training and equipment for
12	combat casualty care shall be made available
13	through an open and transparent process.
14	(3) Counterterrorism partnerships
15	FUND.—Funds appropriated by this Act under the
16	heading Nonproliferation, Anti-terrorism, Demining
17	and Related Programs shall be made available for
18	the Counterterrorism Partnerships Fund for pro-
19	grams in areas liberated from, under the influence
20	of, or adversely affected by, the Islamic State of Iraq
21	and Syria or other terrorist organizations: Provided,
22	That such areas shall include the Kurdistan Region
23	of Iraq: Provided further, That prior to the obliga-
24	tion of funds made available pursuant to this para-
25	graph, the Secretary of State shall take all prac-



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1	ticable steps to ensure that mechanisms are in place
2	for monitoring, oversight, and control of such funds:
3	Provided further, That funds made available pursu-
4	ant to this paragraph shall be subject to prior con-
5	sultation with the appropriate congressional commit-
6	tees, and the regular notification procedures of the
7	Committees on Appropriations.
8	(4) Training related to international
9	HUMANITARIAN LAW.—The Secretary of State shall
10	offer training related to the requirements of inter-
11	national humanitarian law as a component of any
12	package of lethal assistance funded by this Act with
13	funds appropriated under the headings "Peace-
14	keeping Operations" and "Foreign Military Financ-
15	ing Program": Provided, That the requirement of

(NATO), is a major non-NATO ally designated by section 517(b) of the Foreign Assistance Act of 1961, or is complying with international humanitarian law: *Provided further*, That any such training shall be made available through an open and trans-

this paragraph shall not apply to a country that is

a member of the North Atlantic Treaty Organization

parent process.

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(5) Security force professionalization.—
Funds appropriated by this Act under the headings

"International Narcotics Control and Law Enforce-
ment" and "Peacekeeping Operations" shall be
made available to increase the capacity of foreign
military and law enforcement personnel to operate in
accordance with appropriate standards relating to
human rights and the protection of civilians in the
manner specified under this section in the explana-
tory statement described in section 4 (in the matter
preceding division A of this consolidated Act), fol-
lowing consultation with the Committees on Appro-
priations: Provided, That funds made available pur-
suant to this paragraph shall only be made available
on an open and competitive basis.

(b) Authorities.—

- (1) Reconstituting civilian police authority.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.
- (2) DISARMAMENT, DEMOBILIZATION, AND RE-INTEGRATION.—Section 7034(d) of the Department of State, Foreign Operations, and Related Programs

1	Appropriations Act, 2015 (division J of Public Law
2	113-235) shall continue in effect during fiscal year
3	2019.
4	(3) International prison conditions.—O
5	the funds appropriated by this Act under the head
6	ings "Development Assistance", "Economic Support
7	Fund", and "International Narcotics Control and
8	Law Enforcement", not less than \$5,000,000 shall
9	be made available for assistance to eliminate inhu-
10	mane conditions in foreign prisons and other deten-
11	tion facilities, notwithstanding section 660 of the
12	Foreign Assistance Act of 1961: Provided, That the
13	Secretary of State and the USAID Administrator
14	shall consult with the Committees on Appropriations
15	on the proposed uses of such funds prior to obliga-
16	tion and not later than 120 days after enactment of
17	this Act: Provided further, That such funds shall be
18	in addition to funds otherwise made available by this
19	Act for such purpose.
20	(4) Extension of war reserves stockpile
21	AUTHORITY.—
22	(A) Section 12001(d) of the Department of
23	Defense Appropriations Act, 2005 (Public Law
24	108–287; 118 Stat. 1011) is amended by strik
25	ing "of this section" and all that follows



1	through the period at the end and inserting "of
2	this section after September 30, 2020.".
3	(B) Section 514(b)(2)(A) of the Foreign
4	Assistance Act of 1961 (22 U.S.C.
5	2321h(b)(2)(A)) is amended by striking "and
6	2019" and inserting "2019, and 2020".
7	(5) Commercial leasing of defense arti-
8	CLES.—Notwithstanding any other provision of law,
9	and subject to the regular notification procedures of
10	the Committees on Appropriations, the authority of
11	section 23(a) of the Arms Export Control Act may
12	be used to provide financing to Israel, Egypt, the
13	North Atlantic Treaty Organization (NATO), and
14	major non-NATO allies for the procurement by leas-
15	ing (including leasing with an option to purchase) of
16	defense articles from United States commercial sup-
17	pliers, not including Major Defense Equipment
18	(other than helicopters and other types of aircraft
19	having possible civilian application), if the President
20	determines that there are compelling foreign policy
21	or national security reasons for those defense arti-
22	cles being provided by commercial lease rather than
23	by government-to-government sale under such Act.
24	(6) Special defense acquisition fund.—
25	Not to exceed \$900,000,000 may be obligated pursu-



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ant to section $51(c)(2)$ of the Arms Export Control
Act for the purposes of the Special Defense Acquisi-
tion Fund (the Fund), to remain available for obli-
gation until September 30, 2021: Provided, That the
provision of defense articles and defense services to
foreign countries or international organizations from
the Fund shall be subject to the concurrence of the
Secretary of State.

(7) Public disclosure.—For the purposes of funds appropriated by this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs that are made available for assistance for units of foreign security forces, the term "to the maximum extent practicable" in section 620M(d)(7) of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) means that the identity of such units shall be made publicly available unless the Secretary of State, on a case-by-case basis, determines and reports to the appropriate congressional committees that disclosure would endanger the safety of human sources or reveal sensitive intelligence sources and methods, or that non-disclosure is in the national security interest of the United States: Provided, That any such determination shall

1	include a detailed justification, and may be sub
2	mitted in classified form.
3	(c) Limitations.—
4	(1) Child soldiers.—Funds appropriated by
5	this Act should not be used to support any military
6	training or operations that include child soldiers.
7	(2) Landmines and cluster munitions.—
8	(A) Landmines.—Notwithstanding any
9	other provision of law, demining equipmen
10	available to the United States Agency for Inter
11	national Development and the Department of
12	State and used in support of the clearance of
13	landmines and unexploded ordnance for human
14	itarian purposes may be disposed of on a gran
15	basis in foreign countries, subject to such terms
16	and conditions as the Secretary of State may
17	prescribe.
18	(B) Cluster munitions.—No military
19	assistance shall be furnished for cluster muni
20	tions, no defense export license for cluster mu
21	nitions may be issued, and no cluster munitions
22	or cluster munitions technology shall be sold or
23	transferred, unless—
24	(i) the submunitions of the cluster
25	munitions, after arming, do not result in



1	more than 1 percent unexploded ordnance
2	across the range of intended operationa
3	environments, and the agreement applica-
4	ble to the assistance, transfer, or sale of
5	such cluster munitions or cluster munitions
6	technology specifies that the cluster muni-
7	tions will only be used against clearly de-
8	fined military targets and will not be used
9	where civilians are known to be present or
10	in areas normally inhabited by civilians; or
11	(ii) such assistance, license, sale, or
12	transfer is for the purpose of demilitarizing
13	or permanently disposing of such cluster
14	munitions.
15	(3) Crowd Control Items.—Funds appro-
16	priated by this Act should not be used for tear gas
17	small arms, light weapons, ammunition, or other
18	items for crowd control purposes for foreign security
19	forces that use excessive force to repress peaceful ex-
20	pression, association, or assembly in countries that
21	the Secretary of State determines are undemocratic
22	or are undergoing democratic transitions.
23	(d) Reports.—
24	(1) Security assistance report.—Not later
25	than 120 days after enactment of this Act, the Sec-



1	retary of State shall submit to the Committees or
2	Appropriations a report on funds obligated and ex-
3	pended during fiscal year 2018, by country and pur-
4	pose of assistance, under the headings "Peace-
5	keeping Operations", "International Military Edu-
6	cation and Training", and "Foreign Military Fi
7	nancing Program".
8	(2) Quarterly status report.—Following
9	the submission of the quarterly report required by
10	section 36 of Public Law 90–629 (22 U.S.C. 2776)
11	the Secretary of State, in coordination with the Sec
12	retary of Defense, shall submit to the Committees or
13	Appropriations a status report that contains the in-
14	formation described under the heading "Foreign
15	Military Financing Program" in House Report 115-
16	829.
17	(3) Vetting report.—
18	(A) In general.—Not later than 90 days
19	after enactment of this Act, the Secretary of
20	State shall submit a report to the appropriate
21	congressional committees on foreign assistance
22	cases submitted for vetting for purposes of sec
23	tion 620M of the Foreign Assistance Act of
24	1961 during the preceding fiscal year, includ-



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ing—

1	(i) the total number of cases sub-
2	mitted, approved, suspended, or rejected
3	for human rights reasons; and
4	(ii) for cases rejected, a description of
5	the steps taken to assist the foreign gov-
6	ernment in taking effective measures to
7	bring the responsible members of the secu-
8	rity forces to justice, in accordance with
9	section 620M(c) of the Foreign Assistance
10	Act of 1961.
11	(B) FORM.—The report required by this
12	paragraph shall be submitted in unclassified
13	form, but may be accompanied by a classified
14	annex.
15	(4) Annual foreign military training re-
16	PORT.—For the purposes of implementing section
17	656 of the Foreign Assistance Act of 1961, the term
18	"military training provided to foreign military per-
19	sonnel by the Department of Defense and the De-
20	partment of State" shall be deemed to include all
21	military training provided by foreign governments
22	with funds appropriated to the Department of De-
23	fense or the Department of State, except for train-
24	ing provided by the government of a country des-



1	ignated by section 517(b) of such Act as a major
2	non-NATO ally.
3	ARMS TRADE TREATY
4	Sec. 7050. None of the funds appropriated by this
5	Act may be obligated or expended to implement the Arms
6	Trade Treaty until the Senate approves a resolution of
7	ratification for the Treaty.
8	INTERNATIONAL CONFERENCES
9	Sec. 7051. None of the funds made available in this
10	Act may be used to send or otherwise pay for the attend-
11	ance of more than 50 employees of agencies or depart-
12	ments of the United States Government who are stationed
13	in the United States, at any single international con-
14	ference occurring outside the United States, unless the
15	Secretary of State reports to the Committees on Appro-
16	priations at least 5 days in advance that such attendance
17	is important to the national interest: $Provided$, That for
18	purposes of this section the term "international con-
19	ference" shall mean a conference attended by representa-
20	tives of the United States Government and of foreign gov-
21	ernments, international organizations, or nongovern-
22	mental organizations.
23	AIRCRAFT TRANSFER, COORDINATION, AND USE
24	Sec. 7052. (a) Transfer Authority.—Notwith-
25	standing any other provision of law or regulation, aircraft



- 1 procured with funds appropriated by this Act and prior
- 2 Acts making appropriations for the Department of State,
- 3 foreign operations, and related programs under the head-
- 4 ings "Diplomatic Programs", "International Narcotics
- 5 Control and Law Enforcement", "Andean Counterdrug
- 6 Initiative", and "Andean Counterdrug Programs" may be
- 7 used for any other program and in any region.
- 8 (b) Property Disposal.—The authority provided
- 9 in subsection (a) shall apply only after the Secretary of
- 10 State determines and reports to the Committees on Appro-
- 11 priations that the equipment is no longer required to meet
- 12 programmatic purposes in the designated country or re-
- 13 gion: Provided, That any such transfer shall be subject
- 14 to prior consultation with, and the regular notification
- 15 procedures of, the Committees on Appropriations.
- 16 (c) Aircraft Coordination.—
- 17 (1) AUTHORITY.—The uses of aircraft pur-
- 18 chased or leased by the Department of State and the
- 19 United States Agency for International Development
- with funds made available in this Act or prior Acts
- 21 making appropriations for the Department of State,
- foreign operations, and related programs shall be co-
- ordinated under the authority of the appropriate
- 24 Chief of Mission: Provided, That notwithstanding
- section 7006(b) of this Act, such aircraft may be

1	used to transport, on a reimbursable or non-reim-
2	bursable basis, Federal and non-Federal personnel
3	supporting Department of State and USAID pro-
4	grams and activities: Provided further, That official
5	travel for other agencies for other purposes may be
6	supported on a reimbursable basis, or without reim-
7	bursement when traveling on a space available basis
8	Provided further, That funds received by the Depart-
9	ment of State in connection with the use of aircraft
10	owned, leased, or chartered by the Department of
11	State may be credited to the Working Capital Fund
12	of the Department and shall be available for ex-
13	penses related to the purchase, lease, maintenance,
14	chartering, or operation of such aircraft.
15	(2) Scope.—The requirement and authorities
16	of this subsection shall only apply to aircraft, the
17	primary purpose of which is the transportation of
18	personnel.
19	(d) Aircraft Operations and Maintenance.—
20	To the maximum extent practicable, the costs of oper-
21	ations and maintenance, including fuel, of aircraft funded
22	by this Act shall be borne by the recipient country.



1	PARKING FINES AND REAL PROPERTY TAXES OWED BY
2	FOREIGN GOVERNMENTS
3	Sec. 7053. The terms and conditions of section 7055
4	of the Department of State, Foreign Operations, and Re-
5	lated Programs Appropriations Act, 2010 (division F of
6	Public Law 111–117) shall apply to this Act: $Provided$,
7	That the date "September 30, 2009" in subsection
8	(f)(2)(B) of such section shall be deemed to be "Sep-
9	tember 30, 2018".
10	INTERNATIONAL MONETARY FUND
11	Sec. 7054. (a) Extensions.—The terms and condi-
12	tions of sections $7086(b)$ (1) and (2) and $7090(a)$ of the
13	Department of State, Foreign Operations, and Related
14	Programs Appropriations Act, 2010 (division F of Public
15	Law 111–117) shall apply to this Act.
16	(b) Repayment.—The Secretary of the Treasury
17	shall instruct the United States Executive Director of the
18	International Monetary Fund (IMF) to seek to ensure
19	that any loan will be repaid to the IMF before other pri-
20	vate or multilateral creditors.
21	PROHIBITION ON PUBLICITY OR PROPAGANDA
22	Sec. 7055. No part of any appropriation contained
23	in this Act shall be used for publicity or propaganda pur-
24	poses within the United States not authorized before the
25	date of the enactment of this Act by Congress: Provided,



1 '	Γ hat	not	to	exceed	\$25,000	may	be	made	available	to
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- 2 carry out the provisions of section 316 of the International
- 3 Security and Development Cooperation Act of 1980 (Pub-
- 4 lic Law 96–533; 22 U.S.C. 2151a note).
- 5 DISABILITY PROGRAMS
- 6 Sec. 7056. (a) Assistance.—Funds appropriated by
- 7 this Act under the heading "Economic Support Fund"
- 8 shall be made available for programs and activities admin-
- 9 istered by the United States Agency for International De-
- 10 velopment to address the needs and protect and promote
- 11 the rights of people with disabilities in developing coun-
- 12 tries, including initiatives that focus on independent living,
- 13 economic self-sufficiency, advocacy, education, employ-
- 14 ment, transportation, sports, and integration of individ-
- 15 uals with disabilities, including for the cost of translation.
- 16 (b) Management, Oversight, and Technical
- 17 Support.—Of the funds made available pursuant to this
- 18 section, 5 percent may be used for USAID for manage-
- 19 ment, oversight, and technical support.
- 20 UNITED STATES AGENCY FOR INTERNATIONAL
- 21 DEVELOPMENT MANAGEMENT
- 22 Sec. 7057. (a) Authority.—Up to \$93,000,000 of
- 23 the funds made available in title III of this Act pursuant
- 24 to or to carry out the provisions of part I of the Foreign
- 25 Assistance Act of 1961, including funds appropriated



- 1 under the heading "Assistance for Europe, Eurasia and
- 2 Central Asia", may be used by the United States Agency
- 3 for International Development to hire and employ individ-
- 4 uals in the United States and overseas on a limited ap-
- 5 pointment basis pursuant to the authority of sections 308
- 6 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
- 7 3948 and 3949).
- 8 (b) Restrictions.—
- 9 (1) The number of individuals hired in any fis-
- 10 cal year pursuant to the authority contained in sub-
- section (a) may not exceed 175.
- 12 (2) The authority to hire individuals contained
- in subsection (a) shall expire on September 30,
- 14 2020.
- 15 (c) Conditions.—The authority of subsection (a)
- 16 should only be used to the extent that an equivalent num-
- 17 ber of positions that are filled by personal services contrac-
- 18 tors or other non-direct hire employees of USAID, who
- 19 are compensated with funds appropriated to carry out part
- 20 I of the Foreign Assistance Act of 1961, including funds
- 21 appropriated under the heading "Assistance for Europe,
- 22 Eurasia and Central Asia", are eliminated.
- 23 (d) Program Account Charged.—The account
- 24 charged for the cost of an individual hired and employed
- 25 under the authority of this section shall be the account



- 1 to which the responsibilities of such individual primarily
- 2 relate: Provided, That funds made available to carry out
- 3 this section may be transferred to, and merged with, funds
- 4 appropriated by this Act in title II under the heading "Op-
- 5 erating Expenses".
- 6 (e) Foreign Service Limited Extensions.—Indi-
- 7 viduals hired and employed by USAID, with funds made
- 8 available in this Act or prior Acts making appropriations
- 9 for the Department of State, foreign operations, and re-
- 10 lated programs, pursuant to the authority of section 309
- 11 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may
- 12 be extended for a period of up to 4 years notwithstanding
- 13 the limitation set forth in such section.
- 14 (f) Disaster Surge Capacity.—Funds appro-
- 15 priated under title III of this Act to carry out part I of
- 16 the Foreign Assistance Act of 1961, including funds ap-
- 17 propriated under the heading "Assistance for Europe,
- 18 Eurasia and Central Asia", may be used, in addition to
- 19 funds otherwise available for such purposes, for the cost
- 20 (including the support costs) of individuals detailed to or
- 21 employed by USAID whose primary responsibility is to
- 22 carry out programs in response to natural disasters, or
- 23 man-made disasters subject to the regular notification
- 24 procedures of the Committees on Appropriations.



- 1 (g) Personal Services Contractors.—Funds ap-
- 2 propriated by this Act to carry out chapter 1 of part I,
- 3 chapter 4 of part II, and section 667 of the Foreign As-
- 4 sistance Act of 1961, and title II of the Food for Peace
- 5 Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be
- 6 used by USAID to employ up to 40 personal services con-
- 7 tractors in the United States, notwithstanding any other
- 8 provision of law, for the purpose of providing direct, in-
- 9 terim support for new or expanded overseas programs and
- 10 activities managed by the agency until permanent direct
- 11 hire personnel are hired and trained: Provided, That not
- 12 more than 15 of such contractors shall be assigned to any
- 13 bureau or office: Provided further, That such funds appro-
- 14 priated to carry out title II of the Food for Peace Act
- 15 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made
- 16 available only for personal services contractors assigned
- 17 to the Office of Food for Peace.
- 18 (h) SMALL BUSINESS.—In entering into multiple
- 19 award indefinite-quantity contracts with funds appro-
- 20 priated by this Act, USAID may provide an exception to
- 21 the fair opportunity process for placing task orders under
- 22 such contracts when the order is placed with any category
- 23 of small or small disadvantaged business.
- 24 (i) Senior Foreign Service Limited Appoint-
- 25 Ments.—Individuals hired pursuant to the authority pro-



- 1 vided by section 7059(o) of the Department of State, For-
- 2 eign Operations, and Related Programs Appropriations
- 3 Act, 2010 (division F of Public Law 111–117) may be
- 4 assigned to or support programs in Afghanistan or Paki-
- 5 stan with funds made available in this Act and prior Acts
- 6 making appropriations for the Department of State, for-
- 7 eign operations, and related programs.
- 8 GLOBAL HEALTH ACTIVITIES
- 9 Sec. 7058. (a) In General.—Funds appropriated
- 10 by titles III and IV of this Act that are made available
- 11 for bilateral assistance for child survival activities or dis-
- 12 ease programs including activities relating to research on,
- 13 and the prevention, treatment and control of, HIV/AIDS
- 14 may be made available notwithstanding any other provi-
- 15 sion of law except for provisions under the heading "Glob-
- 16 al Health Programs" and the United States Leadership
- 17 Against HIV/AIDS, Tuberculosis, and Malaria Act of
- 18 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
- 19 ed: Provided, That of the funds appropriated under title
- 20 III of this Act, not less than \$575,000,000 should be made
- 21 available for family planning/reproductive health, includ-
- 22 ing in areas where population growth threatens biodiver-
- 23 sity or endangered species.
- 24 (b) GLOBAL FUND.—Of the funds appropriated by
- 25 this Act that are available for a contribution to the Global



1	Fund to Fight AIDS, Tuberculosis and Malaria (Global
2	Fund), 10 percent should be withheld from obligation until
3	the Secretary of State determines and reports to the Com-
4	mittees on Appropriations that the Global Fund is—
5	(1) maintaining and implementing a policy of
6	transparency, including the authority of the Global
7	Fund Office of the Inspector General (OIG) to pub-
8	lish OIG reports on a public website;
9	(2) providing sufficient resources to maintain
10	an independent OIG that—
11	(A) reports directly to the Board of the
12	Global Fund;
13	(B) maintains a mandate to conduct thor-
14	ough investigations and programmatic audits,
15	free from undue interference; and
16	(C) compiles regular, publicly published
17	audits and investigations of financial, pro-
18	grammatic, and reporting aspects of the Global
19	Fund, its grantees, recipients, sub-recipients,
20	and Local Fund Agents;
21	(3) effectively implementing and enforcing poli-
22	cies and procedures which reflect best practices for
23	the protection of whistleblowers from retaliation, in-
24	cluding best practices for—



1	(A) protection against retaliation for inter-
2	nal and lawful public disclosures;
3	(B) legal burdens of proof;
4	(C) statutes of limitation for reporting re-
5	taliation;
6	(D) access to independent adjudicative
7	bodies, including external arbitration; and
8	(E) results that eliminate the effects of
9	proven retaliation:
10	Provided, That such withholding shall not be in ad-
11	dition to funds that are withheld from the Global
12	Fund in fiscal year 2019 pursuant to the application
13	of any other provision contained in this or any other
14	Act.
15	(c) Contagious Infectious Disease Out-
16	BREAKS.—
17	(1) Extraordinary measures.—If the Sec-
18	retary of State determines and reports to the Com-
19	mittees on Appropriations that an international in-
20	fectious disease outbreak is sustained, severe, and is
21	spreading internationally, or that it is in the na-
22	tional interest to respond to a Public Health Emer-
23	gency of International Concern, funds appropriated
24	by this Act under the headings "Global Health Pro-
25	grams", "Development Assistance", "International



1	Disaster Assistance", "Complex Crises Fund",
2	"Economic Support Fund", "Democracy Fund",
3	"Assistance for Europe, Eurasia and Central Asia",
4	"Migration and Refugee Assistance", and "Millen-
5	nium Challenge Corporation" may be made available
6	to combat such infectious disease or public health
7	emergency, and may be transferred to, and merged
8	with, funds appropriated under such headings for
9	the purposes of this paragraph.
10	(2) Consultation and notification.—
11	Funds made available by this subsection shall be
12	subject to prior consultation with the appropriate
13	congressional committees, and the regular notifica-
14	tion procedures of the Committees on Appropria-
15	tions.
16	(d) Repurposed Funds.—
17	(1) Uses.—Of the unobligated balances avail-
18	able under the heading "Bilateral Economic Assist-
19	ance" in title IX of the Department of State, For-
20	eign Operations, and Related Programs Appropria-
21	tions Act, 2015 (division J of Public Law 113-
22	235)—
23	(A) \$38,000,000 shall be for programs to
24	accelerate the canabilities of targeted countries



1	to prevent, detect, and respond to infectious
2	disease outbreaks; and
3	(B) \$2,000,000 shall be made available for
4	the Emergency Reserve Fund established pur-
5	suant to section $7058(c)(1)$ of the Department
6	of State, Foreign Operations, and Related Pro-
7	grams Appropriations Act, 2017 (division J of
8	Public Law 115-31) and shall be made avail-
9	able under the same terms and conditions of
10	such section: Provided, That the second proviso
11	of such paragraph is amended by striking "Sec-
12	retary of State" and inserting in lieu thereof
13	"Administrator of the United States Agency for
14	International Development".
15	(2) Consultation and notification.—
16	Funds made available by this subsection shall be
17	subject to prior consultation with, and the regular
18	notification procedures of, the Committees on Ap-
19	propriations.
20	(3) Transfer Between Accounts.—Funds
21	made available pursuant to this subsection under the
22	headings "Global Health Programs" and "Inter-
23	national Disaster Assistance" may be transferred to,
24	and merged with, funds made available under such
25	headings: Provided, That such transfer authority is



1	in addition to any other transfer authority provided
2	by law.
3	(4) Clarification.—Funds made available
4	pursuant to this subsection are in addition to funds
5	otherwise made available for such purposes.
6	(5) Designation.—The amounts repurposed
7	under this subsection are designated by the Con-
8	gress as an emergency requirement pursuant to sec-
9	tion 251(b)(2)(A)(i) of the Balanced Budget and
10	Emergency Deficit Control Act of 1985 and shall be
11	available only if the President subsequently so des-
12	ignates all such amounts and transmits such des-
13	ignations to the Congress.
14	GENDER EQUALITY
15	Sec. 7059. (a) Gender Equality.—Funds appro-
16	priated by this Act shall be made available to promote gen-
17	der equality in United States Government diplomatic and
18	development efforts by raising the status, increasing the
19	participation, and protecting the rights of women and girls
20	worldwide.
21	(b) Women's Leadership.—Of the funds appro-
22	priated by title III of this Act, not less than \$50,000,000
23	shall be made available for programs specifically designed
24	to increase leadership opportunities for women in coun-
25	tries where women and girls suffer discrimination due to



1	law, policy, or practice, by strengthening protections for
2	women's political status, expanding women's participation
3	in political parties and elections, and increasing women's
4	opportunities for leadership positions in the public and
5	private sectors at the local, provincial, and national levels.
6	(c) GENDER-BASED VIOLENCE.—
7	(1)(A) Of the funds appropriated under titles
8	III and IV of this Act, not less than \$150,000,000
9	shall be made available to implement a multi-year
10	strategy to prevent and respond to gender-based vio-
11	lence in countries where it is common in conflict and
12	non-conflict settings.
13	(B) Funds appropriated under titles III and IV
14	of this Act that are available to train foreign police,
15	judicial, and military personnel, including for inter-
16	national peacekeeping operations, shall address,
17	where appropriate, prevention and response to gen-
18	der-based violence and trafficking in persons, and
19	shall promote the integration of women into the po-
20	lice and other security forces.
21	(2) Department of State and United States
22	Agency for International Development gender pro-
2223	Agency for International Development gender programs shall incorporate coordinated efforts to com-



cluding child marriage, rape, female genital cutting

1	and	mutilation,	and	domestic	violence	among	other
1.	and	mumamon,	and	domestic	violence,	among	Other

- 2 forms of gender-based violence in conflict and non-
- 3 conflict settings.
- 4 (d) Women, Peace, and Security.—Funds appro-
- 5 priated by this Act under the headings "Development As-
- 6 sistance", "Economic Support Fund", "Assistance for Eu-
- 7 rope, Eurasia and Central Asia", and "International Nar-
- 8 cotics Control and Law Enforcement" should be made
- 9 available to support a multi-year strategy to expand, and
- 10 improve coordination of, United States Government ef-
- 11 forts to empower women as equal partners in conflict pre-
- 12 vention, peace building, transitional processes, and recon-
- 13 struction efforts in countries affected by conflict or in po-
- 14 litical transition, and to ensure the equitable provision of
- 15 relief and recovery assistance to women and girls.
- 16 (e) Women and Girls at Risk From Extre-
- 17 MISM.—Of the funds appropriated by this Act under the
- 18 heading "Economic Support Fund", not less than
- 19 \$15,000,000 shall be made available to support women
- 20 and girls who are at risk from extremism and conflict, and
- 21 for the activities described in section 7059(e)(1) of the De-
- 22 partment of State, Foreign Operations, and Related Pro-
- 23 grams Appropriations Act, 2018 (division K of Public Law
- 24 115-141): Provided, That such funds are in addition to
- 25 amounts otherwise made available by this Act for such



1	purposes, and shall be made available following consulta-
2	tion with, and the regular notification procedures of, the
3	Committees on Appropriations.
4	SECTOR ALLOCATIONS
5	Sec. 7060. (a) Basic Education and Higher
6	EDUCATION.—
7	(1) Basic education.—
8	(A) Of the funds appropriated under title
9	III of this Act, not less than \$800,000,000
10	shall be made available for assistance for basic
11	education, and such funds may be made avail-
12	able notwithstanding any other provision of law
13	that restricts assistance to foreign countries:
14	Provided, That such funds shall also be used
15	for secondary education activities: Provided fur-
16	ther, That notifications submitted for basic edu-
17	cation programs should, as applicable, describe
18	activities conducted in support of non-state
19	schools: Provided further, That the Adminis-
20	trator of the United States Agency for Inter-
21	national Development, following consultation
22	with the Committees on Appropriations, may
23	reprogram such funds between countries.
24	(B) Not later than 30 days after enact-
25	ment of this Act, the USAID Administrator



1	shall report to the Committees on Appropria-
2	tions on the status of cumulative unobligated
3	balances and obligated, but unexpended, bal-
4	ances in each country where USAID provides
5	basic education assistance and such report shall
6	also include details on the types of contracts
7	and grants provided and the goals and objec-
8	tives of such assistance: Provided, That the
9	USAID Administrator shall update such report
10	on a quarterly basis until September 30, 2020:
11	Provided further, That if the USAID Adminis-
12	trator determines that any unobligated balances
13	of funds specifically designated for assistance
14	for basic education in prior Acts making appro-
15	priations for the Department of State, foreign
16	operations, and related programs are in excess
17	of the absorptive capacity of recipient countries,
18	such funds may be made available for other
19	programs authorized under chapter 1 of part I
20	of the Foreign Assistance Act of 1961, notwith-
21	standing such funding designation: Provided
22	further, That the authority of the previous pro-
23	viso shall be subject to prior consultation with,
24	and the regular notification procedures of, the
25	Committees on Appropriations.



1	(C) Of the funds appropriated under title
2	III of this Act for assistance for basic education
3	programs, not less than \$90,000,000 shall be
4	made available for a contribution to multilateral
5	partnerships that support education.
6	(2) Higher education.—Of the funds appro-
7	priated by title III of this Act, not less than
8	\$235,000,000 shall be made available for assistance
9	for higher education: Provided, That such funds may
10	be made available notwithstanding any other provi-
11	sion of law that restricts assistance to foreign coun-
12	tries, and shall be subject to the regular notification
13	procedures of the Committees on Appropriations:
14	Provided further, That of such amount, not less than
15	\$35,000,000 shall be made available for human and
16	institutional capacity building partnerships between
17	higher education institutions in the United States
18	and developing countries, of which not less than
19	\$15,000,000 shall be for new partnerships: $Provided$
20	further, That not later than 45 days after enactment
21	of this Act, the USAID Administrator shall consult
22	with the Committees on Appropriations on the pro-
23	posed uses of funds for such partnerships.
24	(b) Development Programs.—Of the funds appro-
25	priated by this Act under the heading "Development As-



1	sistance", not less than \$12,000,000 shall be made avail-
2	able for cooperative development programs of USAID, and
3	not less than $\$30,000,000$ shall be made available for the
4	American Schools and Hospitals Abroad program: $Pro-$
5	vided, That any substantive modifications from the prior
6	fiscal year to the evaluation methodology or criteria for
7	selecting grantees for the American Schools and Hospitals
8	Abroad program shall be subject to prior consultation with
9	the Committees on Appropriations.
10	(c) Environment Programs.—
11	(1) Authority and notification.—
12	(A) Funds appropriated by this Act to
13	carry out the provisions of sections 103 through
14	106, and chapter 4 of part II, of the Foreign
15	Assistance Act of 1961 may be used, notwith-
16	standing any other provision of law, except for
17	the provisions of this subsection, to support en-
18	vironment programs.
19	(B) Funds made available pursuant to this
20	subsection shall be subject to the regular notifi-
21	cation procedures of the Committees on Appro-
22	priations.
23	(C) None of the funds in this Act are ap-
24	propriated or otherwise made available for a



1	contribution, grant, or any other payment for
2	the Green Climate Fund.
3	(2) Conservation programs and limita-
4	TIONS.—
5	(A) Of the funds appropriated under title
6	III of this Act, not less than \$285,000,000
7	shall be made available for biodiversity con-
8	servation programs.
9	(B) Not less than \$90,664,000 of the
10	funds appropriated under titles III and IV of
11	this Act shall be made available to combat the
12	transnational threat of wildlife poaching and
13	trafficking.
14	(C) None of the funds appropriated under
15	title IV of this Act may be made available for
16	training or other assistance for any military
17	unit or personnel that the Secretary of State
18	determines has been credibly alleged to have
19	participated in wildlife poaching or trafficking,
20	unless the Secretary reports to the appropriate
21	congressional committees that to do so is in the
22	national security interest of the United States.
23	(D) Funds appropriated by this Act for
24	biodiversity programs shall not be used to sup-
25	port the expansion of industrial scale logging or



1	any other industrial scale extractive activity
2	into areas that were primary/intact tropical for-
3	ests as of December 30, 2013, and the Sec-
4	retary of the Treasury shall instruct the United
5	States executive directors of each international
6	financial institutions (IFI) to vote against any
7	financing of any such activity.
8	(3) Large dams.—The Secretary of the Treas-
9	ury shall instruct the United States executive direc-
10	tor of each IFI that it is the policy of the United
11	States to vote in relation to any loan, grant, strat-
12	egy, or policy of such institution to support the con-
13	struction of any large dam consistent with the cri-
14	teria set forth in Senate Report 114–79, while also
15	considering whether the project involves important
16	foreign policy objectives.
17	(4) Sustainable landscapes.—Of the funds
18	appropriated under title III of this Act, not less than
19	\$125,000,000 shall be made available for sustainable
20	landscapes programs.
21	(d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
22	MENT.—Of the funds appropriated by title III of this Act,
23	not less than \$1,000,600,000 shall be made available for
24	food security and agricultural development programs to
25	carry out the purposes of the Global Food Security Act



- 1 of 2016 (Public Law 114–195), of which not less than
- 2 \$315,960,000 shall be made available for the Bureau for
- 3 Food Security, USAID, including not less than
- 4 \$55,000,000 for the Feed the Future Innovation Labs:
- 5 Provided, That funds may be made available for a con-
- 6 tribution as authorized by section 3202 of the Food, Con-
- 7 servation, and Energy Act of 2008 (Public Law 110–246),
- 8 as amended by section 3206 of the Agricultural Act of
- 9 2014 (Public Law 113–79).
- 10 (e) Micro- and Small Enterprises.—Of the
- 11 funds appropriated by this Act, not less than
- 12 \$265,000,000 shall be made available to support the devel-
- 13 opment of, and access to financing for, micro- and small
- 14 enterprises that benefit the poor, especially women.
- 15 (f) Programs To Combat Trafficking in Per-
- 16 sons.—Of the funds appropriated by this Act under the
- 17 headings "Development Assistance", "Economic Support
- 18 Fund", "Assistance for Europe, Eurasia and Central
- 19 Asia", and "International Narcotics Control and Law En-
- 20 forcement", not less than \$67,000,000 shall be made
- 21 available for activities to combat trafficking in persons
- 22 internationally, of which not less than \$45,000,000 shall
- 23 be from funds made available under the heading "Inter-
- 24 national Narcotics Control and Law Enforcement": Pro-
- 25 vided, That funds appropriated by this Act that are made



- 1 available for programs to end modern slavery shall be in
- 2 addition to funds made available by this subsection to
- 3 combat trafficking in persons.
- 4 (g) Reconciliation Programs.—Funds appro-
- 5 priated by this Act under the headings "Economic Sup-
- 6 port Fund" and "Development Assistance" shall be made
- 7 available to support people-to-people reconciliation pro-
- 8 grams which bring together individuals of different ethnic,
- 9 religious, and political backgrounds from areas of civil
- 10 strife and war: Provided, That the USAID Administrator
- 11 shall consult with the Committees on Appropriations, prior
- 12 to the initial obligation of funds, on the uses of such funds,
- 13 and such funds shall be subject to the regular notification
- 14 procedures of the Committees on Appropriations: Provided
- 15 further, That to the maximum extent practicable, such
- 16 funds shall be matched by sources other than the United
- 17 States Government: Provided further, That such funds
- 18 shall be administered by the Office of Conflict Manage-
- 19 ment and Mitigation, USAID.
- 20 (h) Water and Sanitation.—Of the funds appro-
- 21 priated by this Act, not less than \$435,000,000 shall be
- 22 made available for water supply and sanitation projects
- 23 pursuant to section 136 of the Foreign Assistance Act of
- 24 1961, of which not less than \$195,000,000 shall be for
- 25 programs in sub-Saharan Africa, and of which not less



- 1 than \$15,000,000 shall be made available to support ini-
- 2 tiatives by local communities in developing countries to
- 3 build and maintain safe latrines.
- 4 Enterprise funds
- 5 Sec. 7061. (a) Notification.—None of the funds
- 6 made available under titles III through VI of this Act may
- 7 be made available for Enterprise Funds unless the appro-
- 8 priate congressional committees are notified at least 15
- 9 days in advance.
- 10 (b) Distribution of Assets Plan.—Prior to the
- 11 distribution of any assets resulting from any liquidation,
- 12 dissolution, or winding up of an Enterprise Fund, in whole
- 13 or in part, the President shall submit to the appropriate
- 14 congressional committees a plan for the distribution of the
- 15 assets of the Enterprise Fund.
- 16 (c) Transition or Operating Plan.—Prior to a
- 17 transition to and operation of any private equity fund or
- 18 other parallel investment fund under an existing Enter-
- 19 prise Fund, the President shall submit such transition or
- 20 operating plan to the appropriate congressional commit-
- 21 tees.
- 22 IMPACT ON JOBS IN THE UNITED STATES
- Sec. 7062. None of the funds appropriated or other-
- 24 wise made available under titles III through VI of this
- 25 Act may be obligated or expended to provide—



1	(1) any financial incentive to a business enter-
2	prise currently located in the United States for the
3	purpose of inducing such an enterprise to relocate
4	outside the United States if such incentive or in-
5	ducement is likely to reduce the number of employ-
6	ees of such business enterprise in the United States
7	because United States production is being replaced
8	by such enterprise outside the United States;
9	(2) assistance for any program, project, or ac-
10	tivity that contributes to the violation of internation-
11	ally recognized workers' rights, as defined in section
12	507(4) of the Trade Act of 1974, of workers in the
13	recipient country, including any designated zone or
14	area in that country: Provided, That the application
15	of section 507(4)(D) and (E) of such Act should be
16	commensurate with the level of development of the
17	recipient country and sector, and shall not preclude
18	assistance for the informal sector in such country,
19	micro and small-scale enterprise, and smallholder
20	agriculture;
21	(3) any assistance to an entity outside the
22	United States if such assistance is for the purpose
23	of directly relocating or transferring jobs from the
24	United States to other countries and adversely im-
25	pacts the labor force in the United States; or



1	(4) for the enforcement of any rule, regulation
2	policy, or guidelines implemented pursuant to—
3	(A) the third proviso of subsection 7079(b)
4	of the Department of State, Foreign Oper-
5	ations, and Related Programs Appropriations
6	Act, 2010 (division F of Public Law 111–117)
7	(B) the modification proposed by the Over-
8	seas Private Investment Corporation in Novem-
9	ber 2013 to the Corporation's Environmental
10	and Social Policy Statement relating to coal; or
11	(C) the Supplemental Guidelines for High
12	Carbon Intensity Projects approved by the Ex-
13	port-Import Bank of the United States on De-
14	cember 12, 2013,
15	when enforcement of such rule, regulation, policy, or
16	guidelines would prohibit, or have the effect of pro-
17	hibiting, any coal-fired or other power-generation
18	project the purpose of which is to: (i) provide afford-
19	able electricity in International Development Asso-
20	ciation (IDA)-eligible countries and IDA-blend coun-
21	tries; and (ii) increase exports of goods and services
22	from the United States or prevent the loss of jobs
23	from the United States.



1	OVERSEAS PRIVATE INVESTMENT CORPORATION
2	Sec. 7063. (a) Transfer of Funds.—Whenever
3	the President determines that it is in furtherance of the
4	purposes of the Foreign Assistance Act of 1961, up to a
5	total of \$20,000,000 of the funds appropriated under title
6	III of this Act may be transferred to, and merged with,
7	funds appropriated by this Act for the Overseas Private
8	Investment Corporation Program Account, to be subject
9	to the terms and conditions of that account: Provided,
10	That such funds shall not be available for administrative
11	expenses of the Overseas Private Investment Corporation:
12	Provided further, That designated funding levels in this
13	Act shall not be transferred pursuant to this section: Pro-
14	vided further, That the exercise of such authority shall be
15	subject to the regular notification procedures of the Com-
16	mittees on Appropriations.
17	(b) Authority.—Notwithstanding section 235(a)(2)
18	of the Foreign Assistance Act of 1961, the authority of
19	subsections (a) through (c) of section 234 of such Act
20	shall remain in effect until September 30, 2019.
21	INSPECTORS GENERAL
22	Sec. 7064. (a) Prohibition on Use of Funds.—
23	None of the funds appropriated by this Act may be used
24	to deny an Inspector General funded under this Act timely
25	access to any records documents or other materials avail-



- 1 able to the department or agency of the United States
- 2 Government over which such Inspector General has re-
- 3 sponsibilities under the Inspector General Act of 1978 (5
- 4 U.S.C. App.), or to prevent or impede the access of such
- 5 Inspector General to such records, documents, or other
- 6 materials, under any provision of law, except a provision
- 7 of law that expressly refers to such Inspector General and
- 8 expressly limits the right of access of such Inspector Gen-
- 9 eral.
- 10 (b) Timely Access.—A department or agency of the
- 11 United States Government covered by this section shall
- 12 provide its Inspector General access to all records, docu-
- 13 ments, and other materials in a timely manner.
- 14 (c) Compliance.—Each Inspector General covered
- 15 by this section shall ensure compliance with statutory limi-
- 16 tations on disclosure relevant to the information provided
- 17 by the department or agency over which that Inspector
- 18 General has responsibilities under the Inspector General
- 19 Act of 1978 (5 U.S.C. App.).
- 20 (d) Report.—Each Inspector General covered by
- 21 this section shall report to the Committees on Appropria-
- 22 tions within 5 calendar days of any failure by any depart-
- 23 ment or agency of the United States Government to pro-
- 24 vide its Inspector General access to all requested records,
- 25 documents, and other materials.



1	GLOBAL INTERNET FREEDOM
2	Sec. 7065. (a) Funding.—Of the funds available for
3	obligation during fiscal year 2019 under the headings
4	"International Broadcasting Operations", "Economic
5	Support Fund", "Democracy Fund", and "Assistance for
6	Europe, Eurasia and Central Asia", not less than
7	\$60,500,000 shall be made available for programs to pro-
8	mote Internet freedom globally: Provided, That such pro-
9	grams shall be prioritized for countries whose governments
10	restrict freedom of expression on the Internet, and that
11	are important to the national interest of the United
12	States: Provided further, That funds made available pursu-
13	ant to this section shall be matched, to the maximum ex-
14	tent practicable, by sources other than the United States
15	Government, including from the private sector.
16	(b) Requirements.—
17	(1) Funds appropriated by this Act under the
18	headings "Economic Support Fund", "Democracy
19	Fund", and "Assistance for Europe, Eurasia and
20	Central Asia" that are made available pursuant to
21	subsection (a) shall be—
22	(A) coordinated with other democracy pro-
23	grams funded by this Act under such headings,
24	and shall be incorporated into country assist-



1	ance and democracy promotion strategies, as
2	appropriate;
3	(B) for programs to implement the May
4	2011, International Strategy for Cyberspace
5	the Department of State International Cyber-
6	space Policy Strategy required by section 402
7	of the Cybersecurity Act of 2015 (division N of
8	Public Law 114–113); and the comprehensive
9	strategy to promote Internet freedom and ac-
10	cess to information in Iran, as required by sec-
11	tion 414 of the Iran Threat Reduction and
12	Syria Human Rights Act of 2012 (22 U.S.C.
13	8754);
14	(C) made available for programs that sup-
15	port the efforts of civil society to counter the
16	development of repressive Internet-related laws
17	and regulations, including countering threats to
18	Internet freedom at international organizations
19	to combat violence against bloggers and other
20	users; and to enhance digital security training
21	and capacity building for democracy activists;
22	(D) made available for research of key
23	threats to Internet freedom; the continued de-
24	velopment of technologies that provide or en-
25	hance access to the Internet, including cir-



1	cumvention tools that bypass Internet blocking,
2	filtering, and other censorship techniques used
3	by authoritarian governments; and maintenance
4	of the technological advantage of the United
5	States Government over such censorship tech-
6	niques: Provided, That the Secretary of State,
7	in consultation with the Chief Executive Officer
8	(CEO) of the Broadcasting Board of Governors
9	(BBG), shall coordinate any such research and
10	development programs with other relevant
11	United States Government departments and
12	agencies in order to share information, tech-
13	nologies, and best practices, and to assess the
14	effectiveness of such technologies; and
15	(E) made available only after the Assistant
16	Secretary for Democracy, Human Rights, and
17	Labor, Department of State, concurs that such
18	funds are allocated consistent with—
19	(i) the strategies referenced in sub-
20	paragraph (B) of this paragraph;
21	(ii) best practices regarding security
22	for, and oversight of, Internet freedom pro-
23	grams: and



1	(iii) sufficient resources and support
2	for the development and maintenance of
3	anti-censorship technology and tools.
4	(2) Funds appropriated by this Act under the
5	heading "International Broadcasting Operations"
6	that are made available pursuant to subsection (a)
7	shall be—
8	(A) made available only for tools and tech-
9	niques to securely develop and distribute BBG
10	digital content; facilitate audience access to
11	such content on websites that are censored; co-
12	ordinate the distribution of BBG digital content
13	to targeted regional audiences; and to promote
14	and distribute such tools and techniques, in-
15	cluding digital security techniques;
16	(B) coordinated with programs funded by
17	this Act under the heading "International
18	Broadcasting Operations", and shall be incor-
19	porated into country broadcasting strategies, as
20	appropriate;
21	(C) coordinated by the BBG CEO to pro-
22	vide Internet circumvention tools and tech-
23	niques for audiences in countries that are stra-
24	tegic priorities for the RRG and in a manner



1	consistent with the BBG Internet freedom
2	strategy; and
3	(D) made available for the research and
4	development of new tools or techniques author-
5	ized in paragraph (A) only after the BBG CEO,
6	in consultation with the Secretary of State and
7	other relevant United States Government de-
8	partments and agencies, evaluates the risks and
9	benefits of such new tools or techniques, and
10	establishes safeguards to minimize the use of
11	such new tools or techniques for illicit purposes.
12	(c) Coordination and Spend Plans.—After con-
13	sultation among the relevant agency heads to coordinate
14	and de-conflict planned activities, but not later than 90
15	days after enactment of this Act, the Secretary of State
16	and the BBG CEO shall submit to the Committees on Ap-
17	propriations spend plans for funds made available by this
18	Act for programs to promote Internet freedom globally,
19	which shall include a description of safeguards established
20	by relevant agencies to ensure that such programs are not
21	used for illicit purposes: Provided, That the Department
22	of State spend plan shall include funding for all such pro-
23	grams for all relevant Department of State and the United
24	States Agency for International Development offices and
25	bureaus.



1	(d) Security Audits.—Funds made available pur-
2	suant to this section to promote Internet freedom globally
3	may only be made available to support technologies that
4	undergo comprehensive security audits conducted by the
5	Bureau of Democracy, Human Rights, and Labor, De-
6	partment of State to ensure that such technology is secure
7	and has not been compromised in a manner detrimental
8	to the interest of the United States or to individuals and
9	organizations benefiting from programs supported by such
10	funds: Provided, That the security auditing procedures
11	used by such Bureau shall be reviewed and updated peri-
12	odically to reflect current industry security standards.
13	(e) Surge.—Of the funds appropriated by this Act
14	under the heading "Economic Support Fund", up to
15	\$2,500,000 may be made available to surge Internet free-
16	dom programs in closed societies if the Secretary of State
17	determines and reports to the appropriate congressional
18	committees that such use of funds is in the national inter-
19	est: Provided, That such funds are in addition to amounts
20	made available for such purposes: Provided further, That
21	such funds may be transferred to, and merged with, funds
22	appropriated by this Act under the heading "International
23	Broadcasting Operations" following consultation with, and
24	the regular notification procedures of, the Committees on
25	Appropriations



1	MULTI-YEAR PLEDGES
2	Sec. 7066. None of the funds appropriated by this
3	Act may be used to make any pledge for future year fund-
4	ing for any multilateral or bilateral program funded in ti-
5	tles III through VI of this Act unless such pledge was—
6	(1) previously justified, including the projected
7	future year costs, in a congressional budget justifica-
8	tion;
9	(2) included in an Act making appropriations
10	for the Department of State, foreign operations, and
11	related programs or previously authorized by an Act
12	of Congress;
13	(3) notified in accordance with the regular noti-
14	fication procedures of the Committees on Appropria-
15	tions, including the projected future year costs; or
16	(4) the subject of prior consultation with the
17	Committees on Appropriations and such consultation
18	was conducted at least 7 days in advance of the
19	pledge.
20	TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
21	TREATMENT OR PUNISHMENT
22	Sec. 7067. (a) Limitation.—None of the funds
23	made available by this Act may be used to support or jus-
24	tify the use of torture and other cruel, inhuman, or de-



- 1 grading treatment or punishment by any official or con-
- 2 tract employee of the United States Government.
- 3 (b) Assistance.—Funds appropriated under titles
- 4 III and IV of this Act shall be made available, notwith-
- 5 standing section 660 of the Foreign Assistance Act of
- 6 1961 and following consultation with the Committees on
- 7 Appropriations, for assistance to eliminate torture and
- 8 other cruel, inhuman, or degrading treatment or punish-
- 9 ment by foreign police, military or other security forces
- 10 in countries receiving assistance from funds appropriated
- 11 by this Act.
- 12 EXTRADITION
- 13 Sec. 7068. (a) Limitation.—None of the funds ap-
- 14 propriated in this Act may be used to provide assistance
- 15 (other than funds provided under the headings "Inter-
- 16 national Disaster Assistance", "Complex Crises Fund",
- 17 "International Narcotics Control and Law Enforcement",
- 18 "Migration and Refugee Assistance", "United States
- 19 Emergency Refugee and Migration Assistance Fund", and
- 20 "Nonproliferation, Anti-terrorism, Demining and Related
- 21 Assistance") for the central government of a country
- 22 which has notified the Department of State of its refusal
- 23 to extradite to the United States any individual indicted
- 24 for a criminal offense for which the maximum penalty is
- 25 life imprisonment without the possibility of parole or for



- 1 killing a law enforcement officer, as specified in a United
- 2 States extradition request.
- 3 (b) Clarification.—Subsection (a) shall only apply
- 4 to the central government of a country with which the
- 5 United States maintains diplomatic relations and with
- 6 which the United States has an extradition treaty and the
- 7 government of that country is in violation of the terms
- 8 and conditions of the treaty.
- 9 (c) WAIVER.—The Secretary of State may waive the
- 10 restriction in subsection (a) on a case-by-case basis if the
- 11 Secretary certifies to the Committees on Appropriations
- 12 that such waiver is important to the national interest of
- 13 the United States.
- 14 WAR CRIMES TRIBUNALS
- 15 Sec. 7069. If the President determines that doing so
- 16 will contribute to a just resolution of charges regarding
- 17 genocide or other violations of international humanitarian
- 18 law, the President may direct a drawdown pursuant to sec-
- 19 tion 552(c) of the Foreign Assistance Act of 1961 of up
- 20 to \$30,000,000 of commodities and services for the United
- 21 Nations War Crimes Tribunal established with regard to
- 22 the former Yugoslavia by the United Nations Security
- 23 Council or such other tribunals or commissions as the
- 24 Council may establish or authorize to deal with such viola-
- 25 tions, without regard to the ceiling limitation contained



1	in paragraph (2) thereof: <i>Provided</i> , That the determina-
2	tion required under this section shall be in lieu of any de-
3	terminations otherwise required under section $552(e)$: $Pro-$
4	vided further, That funds made available pursuant to this
5	section shall be made available subject to the regular noti-
6	fication procedures of the Committees on Appropriations
7	BUDGET DOCUMENTS
8	Sec. 7070. (a) Operating Plans.—Not later than
9	45 days after the date of enactment of this Act, each de-
10	partment, agency, or organization funded in titles I, II
11	and VI of this Act, and the Department of the Treasury
12	and Independent Agencies funded in title III of this Act
13	including the Inter-American Foundation and the United
14	States African Development Foundation, shall submit to
15	the Committees on Appropriations an operating plan for
16	funds appropriated to such department, agency, or organi-
17	zation in such titles of this Act, or funds otherwise avail-
18	able for obligation in fiscal year 2019, that provides de-
19	tails of the uses of such funds at the program, project
20	and activity level: Provided, That such plans shall include
21	as applicable, a comparison between the congressional
22	budget justification funding levels, the most recent con-
23	gressional directives or approved funding levels, and the
24	funding levels proposed by the department or agency; and



25 a clear, concise, and informative description/justification:

1	Provided further, That if such department, agency, or or-
2	ganization receives an additional amount under the same
3	heading in title VIII of this Act, operating plans required
4	by this subsection shall include consolidated information
5	on all such funds: Provided further, That operating plans
6	that include changes in levels of funding for programs,
7	projects, and activities specified in the congressional budg-
8	et justification, in this Act, or amounts specifically des-
9	ignated in the respective tables included in the explanatory
10	statement described in section 4 (in the matter preceding
11	division A of this consolidated Act), as applicable, shall
12	be subject to the notification and reprogramming require-
13	ments of section 7015 of this Act.
14	(b) Spend Plans.—
15	(1) Prior to the initial obligation of funds but
16	not later than 120 days after enactment of this Act,
17	the Secretary of State or Administrator of the
18	United States Agency for International Develop-
19	ment, as appropriate, shall submit to the Commit-
20	tees on Appropriations a spend plan for funds made
21	available by this Act, for—
22	(A) assistance for Afghanistan, Iraq, Leb-
23	anon, Pakistan, the West Bank and Gaza, Co-
24	lombia, and countries in Central America;



1	(B) assistance made available pursuant to
2	section 7047(d) of this Act to counter Russian
3	influence and aggression, except that such plan
4	shall be on a country-by-country basis;
5	(C) assistance made available pursuant to
6	section 7059 of this Act;
7	(D) the Indo-Pacific Strategy;
8	(E) democracy programs, Power Africa,
9	programs to support section 7071(a) of this
10	Act, and sectors enumerated in subsections (a),
11	(c), (d), (e), (f), (g), and (h) of section 7060
12	of this Act; and
13	(F) funds provided under the heading
14	"International Narcotics Control and Law En-
15	forcement" for International Organized Crime
16	and for Cybercrime and Intellectual Property
17	Rights: Provided, That the spend plans shall in-
18	clude bilateral and global programs funded
19	under such heading along with a brief descrip-
20	tion of the activities planned for each country.
21	(2) Not later than 45 days after enactment of
22	this Act, the Secretary of the Treasury shall submit
23	to the Committees on Appropriations a detailed
24	spend plan for funds made available by this Act
25	under the heading "Department of the Treasury



1	International Affairs Technical Assistance" in title
2	III.
3	(3) Notwithstanding paragraph (1), up to 10
4	percent of the funds contained in a spend plan re-
5	quired by this subsection may be obligated prior to
6	the submission of such spend plan if the Secretary
7	of State or the USAID Administrator, as appro-
8	priate, determines that the obligation of such funds
9	is necessary to avoid significant programmatic dis-
10	ruption: Provided, That not less than seven days
11	prior to such obligation, the Secretary or Adminis-
12	trator, as appropriate, shall consult with the Com-
13	mittees on Appropriations on the justification for
14	such obligation and the proposed uses of such funds.
15	(c) Spending Report.—Not later than 45 days
16	after enactment of this Act, the USAID Administrator
17	shall submit to the Committees on Appropriations a de-
18	tailed report on spending of funds made available during
19	fiscal year 2018 under the heading "Development Credit
20	Authority".
21	(d) CLARIFICATION.—The spend plans referenced in
22	subsection (b) shall not be considered as meeting the noti-
23	fication requirements in this Act or under section 634A
24	of the Foreign Assistance Act of 1961.
25	(e) Congressional Budget Justification.—



1	(1) The congressional budget justification for
2	Department of State operations and foreign oper-
3	ations shall be provided to the Committees on Ap-
4	propriations concurrent with the date of submission
5	of the President's budget for fiscal year 2020: Pro-
6	vided, That the appendices for such justification
7	shall be provided to the Committees on Appropria-
8	tions not later than 10 calendar days thereafter.
9	(2) The Secretary of State and the USAID Ad-
10	ministrator shall include in the congressional budget
11	justification a detailed justification for multi-year
12	availability for any funds requested under the head-
13	ings "Diplomatic Programs" and "Operating Ex-
14	penses".
15	STABILIZATION AND DEVELOPMENT IN REGIONS
16	IMPACTED BY EXTREMISM AND CONFLICT
17	Sec. 7071. (a) Countering Foreign Fighters
18	AND EXTREMIST ORGANIZATIONS.—Funds appropriated
19	under titles III and IV of this Act shall be made available
20	for programs and activities to counter and defeat violent
21	extremism and foreign fighters abroad, consistent with the
22	strategy required by section 7073(a)(1) of the Department
23	of State, Foreign Operations, and Related Programs Ap-
24	propriations Act, 2017 (division J of Public Law 115–31):
25	Provided, That the Secretary of State shall ensure such



- 1 programs are coordinated with and complement the efforts
- 2 of other United States Government agencies and inter-
- 3 national partners, and that information gained through
- 4 the conduct of such programs is shared in a timely manner
- 5 with relevant departments and agencies of the United
- 6 States Government, other international partners, and the
- 7 appropriate congressional committees, as appropriate.
- 8 (b) Relief and Recovery Fund.—
- 9 (1) Funds and transfer authority.—Of
- the funds appropriated by this Act under the head-
- ings "Economic Support Fund", "International Nar-
- 12 cotics Control and Law Enforcement", "Non-
- proliferation, Anti-terrorism, Demining and Related
- 14 Programs", "Peacekeeping Operations", and "For-
- eign Military Financing Program", not less than
- \$200,000,000 shall be made available for the Relief
- 17 and Recovery Fund for assistance for areas liberated
- or at risk from, or under the control of, the Islamic
- 19 State of Iraq and Syria, other terrorist organiza-
- 20 tions, or violent extremist organizations, including
- for stabilization assistance for vulnerable ethnic and
- religious minority communities affected by conflict:
- 23 Provided, That such funds are in addition to
- amounts otherwise made available for such purposes
- and to amounts specifically designated in this Act or

in the explanatory statement described in section 4
(in the matter preceding division A of this consoli-
dated Act) for assistance for countries: Provided fur-
ther, That such funds appropriated under such head-
ings may be transferred to, and merged with, funds
appropriated under such headings: Provided further,
That such transfer authority is in addition to any
other transfer authority provided by this Act or any
other Act, and is subject to the regular notification
procedures of the Committees on Appropriations.

(2) Transitional Justice.—Of the funds appropriated by this Act under the heading "International Narcotics Control and Law Enforcement" that are made available for the Relief and Recovery Fund, not less than \$5,000,000 shall be made available for programs to promote accountability in Iraq and Syria for genocide, crimes against humanity, and war crimes, which shall be in addition to any other funds made available by this Act for such purposes: *Provided*, That such programs shall include components to develop local investigative and judicial skills, and to collect and preserve evidence and maintain the chain of custody of evidence, including for use in prosecutions: *Provided further*, That such funds shall be administered by the Special Coordi-

1	nator for the Office of Global Criminal Justice, De-
2	partment of State: Provided further, That funds
3	made available by this paragraph shall only be made
4	available on an open and competitive basis.
5	(3) Funds for Jordan and Tunisia.—Of the
6	funds appropriated in prior Acts making appropria-
7	tions for the Department of State, foreign oper-
8	ations, and related programs that are made available
9	for the Relief and Recovery Fund, not less than the
10	following amounts shall be made available—
11	(A) \$50,000,000 for assistance for Jordan;
12	and
13	(B) \$50,000,000 for assistance for Tuni-
14	sia:
15	Provided, That such funds are in addition to
16	amounts otherwise made available by this Act for
17	such countries.
18	(c) Prevention of Failed States Through Pub-
19	LIC-PRIVATE PARTNERSHIPS.—Of the funds appropriated
20	by this Act and prior Acts making appropriations for the
21	Department of State, foreign operations, and related pro-
22	grams that are made available for the Relief and Recovery
23	Fund, up to \$10,000,000 shall be made available to imple-
24	ment the program described under this section in the ex-
25	planatory statement described in section 4 (in the matter



- 1 preceding division A of this consolidated Act), which shall
- 2 be apportioned to USAID not later than 90 days after
- 3 enactment of this Act: Provided, That such funds shall
- 4 be in addition to funds made available for bilateral assist-
- 5 ance for such countries, and shall remain available until
- 6 expended: Provided further, That in addition to funds oth-
- 7 erwise made available for such purposes, up to \$750,000
- 8 of the funds made available by this paragraph may be used
- 9 by USAID for administrative expenses related to the de-
- 10 sign and implementation of such program.
- 11 (d) Counter Violent Extremism in Asia.—Of
- 12 the funds appropriated by this Act under the heading
- 13 "Economic Support Fund", not less than \$2,500,000 shall
- 14 be made available for programs to counter violent extre-
- 15 mism in Asia, including within the Buddhist community:
- 16 Provided, That such funds shall be administered by the
- 17 Mission Director of the Regional Development Mission for
- 18 Asia, USAID: Provided further, That such funds are in
- 19 addition to funds otherwise made available for such pur-
- 20 poses.
- 21 (e) Fragile States and Extremism.—Funds ap-
- 22 propriated by this Act shall be made available for the pur-
- 23 poses of section 7080 of the Department of State, Foreign
- 24 Operations, and Related Programs Appropriations Act,
- 25 2017 (division J of Public Law 115–31), subject to the



- 1 regular notification procedures of the Committees on Ap-
- 2 propriations.
- 3 (f) Global Concessional Financing Facility.—
- 4 Funds appropriated by this Act under the heading "Eco-
- 5 nomic Support Fund" may be made available for the Glob-
- 6 al Concessional Financing Facility of the World Bank to
- 7 provide financing to support refugees and host commu-
- 8 nities: Provided, That such funds shall be in addition to
- 9 funds made available for bilateral assistance in the report
- 10 required by section 653(a) of the Foreign Assistance Act
- 11 of 1961, and may only be made available subject to prior
- 12 consultation with the Committees on Appropriations.
- 13 UNITED NATIONS POPULATION FUND
- 14 Sec. 7072. (a) Contribution.—Of the funds made
- 15 available under the heading "International Organizations
- 16 and Programs' in this Act for fiscal year 2019,
- 17 \$32,500,000 shall be made available for the United Na-
- 18 tions Population Fund (UNFPA).
- 19 (b) AVAILABILITY OF FUNDS.—Funds appropriated
- 20 by this Act for UNFPA, that are not made available for
- 21 UNFPA because of the operation of any provision of law,
- 22 shall be transferred to the "Global Health Programs" ac-
- 23 count and shall be made available for family planning, ma-
- 24 ternal, and reproductive health activities, subject to the



1	regular notification procedures of the Committees on Ap-
2	propriations.
3	(c) Prohibition on Use of Funds in China.—
4	None of the funds made available by this Act may be used
5	by UNFPA for a country program in the People's Repub-
6	lic of China.
7	(d) Conditions on Availability of Funds.—
8	Funds made available by this Act for UNFPA may not
9	be made available unless—
10	(1) UNFPA maintains funds made available by
11	this Act in an account separate from other accounts
12	of UNFPA and does not commingle such funds with
13	other sums; and
14	(2) UNFPA does not fund abortions.
15	(e) Report to Congress and Dollar-for-Dol-
16	LAR WITHHOLDING OF FUNDS.—
17	(1) Not later than 4 months after the date of
18	enactment of this Act, the Secretary of State shall
19	submit a report to the Committees on Appropria-
20	tions indicating the amount of funds that UNFPA
21	is budgeting for the year in which the report is sub-
22	mitted for a country program in the People's Repub-
23	lic of China.
24	(2) If a report under paragraph (1) indicates
25	that UNFPA plans to spend funds for a country



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1	program in the People's Republic of China in the
2	year covered by the report, then the amount of such
3	funds UNFPA plans to spend in the People's Re-
4	public of China shall be deducted from the funds
5	made available to UNFPA after March 1 for obliga-
6	tion for the remainder of the fiscal year in which the
7	report is submitted.
8	REORGANIZATION AND INFORMATION TECHNOLOGY
9	Sec. 7073. (a) Oversight.—
10	(1) Prior consultation and notifica-
11	TION.—Funds appropriated by this Act, prior Acts
12	making appropriations for the Department of State,
13	foreign operations, and related programs, or any
14	other Act may not be used to implement a reorga-
15	nization, redesign, or other plan described in para-
16	graph (2) by the Department of State, the United

States Agency for International Development, or any 18 other Federal department, agency, or organization 19 funded by this Act without prior consultation by the

17

25

20 head of such department, agency, or organization 21 with the appropriate congressional committees: Pro-

22 vided, That such funds shall be subject to the reg-23 ular notification procedures of the Committees on

24 Appropriations: Provided further, That any such no-

tification submitted to such Committees shall include

1	a detailed justification for any proposed action, in
2	cluding the information specified under this section
3	in the explanatory statement described in section 4
4	(in the matter preceding division A of this consoli-
5	dated Act): Provided further, That congressional no
6	tifications submitted during the previous fiscal year
7	pursuant to section 7081 of the Department of
8	State, Foreign Operations, and Related Programs
9	Appropriations Act, 2018 (division K of Public Law
10	115–141) may be deemed to meet the notification
11	requirements of this section.
12	(2) Description of activities.—Pursuant to
13	paragraph (1), a reorganization, redesign, or other
14	plan shall include any action to—
15	(A) expand, eliminate, consolidate, or
16	downsize covered departments, agencies, or or
17	ganizations, including bureaus and offices with
18	in or between such departments, agencies, or
19	organizations, including the transfer to other
20	agencies of the authorities and responsibilities
21	of such bureaus and offices;
22	(B) expand, eliminate, consolidate, or
23	downsize the United States official presence
24	overseas including at hilateral regional and



1	multilateral diplomatic facilities and other plat-
2	forms; or
3	(C) expand or reduce the size of the Civil
4	Service, Foreign Service, eligible family mem-
5	ber, and locally employed staff workforce of the
6	Department of State and USAID from the on-
7	board levels as of December 31, 2017.
8	(b) Additional Requirements and Limita-
9	TIONS.—
10	(1) Personnel Levels.—Funds made avail-
11	able by this Act are made available to support the
12	agency-wide on-board Foreign Service and Civil
13	Service staff levels of the Department of State and
14	USAID at not less than the levels as of December
15	31, 2017.
16	(2) Reports.—
17	(A) Not later than 30 days after enact-
18	ment of this Act, and quarterly thereafter until
19	September 30, 2020, the USAID Administrator
20	shall submit a report to the appropriate con-
21	gressional committees on the status of USAID
22	reorganization as described in the explanatory
23	statement described in section 4 (in the matter
24	preceding division A of this consolidated Act):
25	Provided, That the USAID Administrator shall



1	consuit with the appropriate congressional com-
2	mittees on the format of such reports.
3	(B) Not later than 60 days after enact-
4	ment of this Act and every 60 days thereafter
5	until September 30, 2020, the Secretary of
6	State, in the case of the Department of State,
7	and the USAID Administrator, in the case of
8	USAID, shall report to the appropriate congres-
9	sional committees on the on-board personnel
10	levels, hiring, and attrition of the Civil Service,
11	Foreign Service, eligible family member, and lo-
12	cally employed staff workforce of the Depart-
13	ment of State and USAID, as appropriate, on
14	an operating unit-by-operating unit basis: Pro-
15	vided, That such report shall also include a hir-
16	ing plan, including timelines, for maintaining
17	the agency-wide, on-board Foreign Service and
18	Civil Service at not less than the December 31,
19	2017 level through fiscal year 2019.
20	(3) Bureau of Population, refugees, and
21	MIGRATION, DEPARTMENT OF STATE.—None of the
22	funds appropriated by this Act, prior Acts making
23	appropriations for the Department of State, foreign
24	operations, and related programs, or any other Act
25	may be used to downsize, downgrade, consolidate,



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1	close, move, or relocate the Bureau of Population,
2	Refugees, and Migration, Department of State, or
3	any activities of such Bureau, to another Federal
4	agency.
5	(4) Administration of funds.—Funds made
6	available by this Act—
7	(A) under the heading "Migration and
8	Refugee Assistance" shall be administered by
9	the Assistant Secretary for Population, Refu-
10	gees, and Migration, Department of State, and
11	this responsibility shall not be delegated; and
12	(B) that are made available for the Office
13	of Global Women's Issues shall be administered
14	by the United States Ambassador-at-Large for
15	Global Women's Issues, Department of State,
16	and this responsibility shall not be delegated.
17	(5) Information technology platform.—
18	(A) None of the funds appropriated in title
19	I of this Act under the heading "Administration
20	of Foreign Affairs" may be made available for
21	a new major information technology (IT) in-
22	vestment without the concurrence of the Chief
23	Information Officer, Department of State.
24	(B) In complying with the requirements of
25	this paragraph the Chief Information Officer



1	Department of State, shall consider whether a
2	new major information technology investment—
3	(i) is consistent with the Department
4	Information Technology Strategic Plan;
5	(ii) maintains consolidated control
6	over enterprise IT functions or improves
7	operational maintenance;
8	(iii) improves Department of State re-
9	siliency to a cyber-attack;
10	(iv) reduces Department of State IT
11	costs over the long-term; and
12	(v) is in accordance with the Federal
13	Acquisition Regulation (FAR), including
14	FAR Part 6 regarding competition require-
15	ments.
16	(6) Technology modernization fund limi-
17	TATION.—
18	(A) None of the funds made available by
19	this Act and prior Acts making appropriations
20	for the Department of State, foreign operations,
21	and related programs may be used by an agen-
22	cy to submit a project proposal to the Tech-
23	nology Modernization Board for funding from
24	the Technology Modernization Fund unless, not
25	later than 15 days in advance of submitting the



1	project proposal to the Board, the head of the
2	agency—
3	(i) notifies the Committees on Appro-
4	priations of the proposed submission of the
5	project proposal; and
6	(ii) submits to the Committees on Ap-
7	propriations a copy of the project proposal
8	(B) None of the funds made available by
9	this Act and prior Acts making appropriations
10	for the Department of State, foreign operations
11	and related programs may be used by an agen-
12	cy to carry out a project that is approved by the
13	Board unless the head of the agency—
14	(i) submits to the Committees on Ap-
15	propriations a copy of the approved project
16	proposal, including the terms of reimburse-
17	ment of funding received for the project
18	and
19	(ii) agrees to submit to the Commit-
20	tees on Appropriations a copy of each re-
21	port relating to the project that the head
22	of the agency submits to the Board.
23	(7) Foreign assistance review.—Pro-
24	grammatic, funding, and organizational changes re-
25	sulting from implementation of the Foreign Assist-



1	ance Review shall be subject to prior consultation
2	with, and the regular notification procedures of, the
3	Committees on Appropriations: Provided, That such
4	notifications may be submitted in classified form, it
5	necessary.
6	RESCISSIONS
7	(INCLUDING RESCISSION OF FUNDS)
8	Sec. 7074. (a) Of the unobligated balances available
9	under the heading "International Narcotics Control and
10	Law Enforcement", as identified by Treasury Appropria-
11	tion Fund Symbol 11 X 1022, $$12,420,000$ are rescinded
12	(b) Of the grant balances in the Foreign Military
13	Sales Trust Fund, identified by Treasury Appropriation
14	Fund Symbol 97–11 X 8242, which are not currently ap-
15	plied to an active FMS case and which were appropriated
16	prior to fiscal year 2009, \$11,000,000 shall be
17	deobligated, as appropriate, and shall be permanently re-
18	seinded.
19	JOHN S. MCCAIN SCHOLARS PROGRAM
20	Sec. 7075. Funds appropriated by this Act under the
21	heading "Educational and Cultural Exchange Programs"
22	that are made available for the Benjamin Gilman Inter-
23	national Scholarships Program shall also be made avail-
24	able for the John S. McCain Scholars Program, pursuant
25	to section 303 of the International Academic Opportunity



1	Act of 2000 (Public Law 106–309), to include the depend-
2	ents of active United States military personnel who are
3	receiving any form of Federal Financial Aid under title
4	IV of the Higher Education Act of 1965.
5	AFGHAN SPECIAL IMMIGRANT VISAS
6	Sec. 7076. (a) Afghan Allies.—Section
7	602(b)(3)(F) of the Afghan Allies Protection Act of 2009
8	(division F of Public Law 111-8), as amended, is further
9	amended by substituting "18,500" for "14,500" in the
10	matter preceding clause (i).
11	(b) Conditions.—None of the funds appropriated by
12	this Act may be made available for the additional special
13	immigrant visas made available under subsection (a) until
14	the Secretary of State—
15	(1) develops and implements a system to
16	prioritize the processing of Afghan applicants for
17	special immigrant visas under section 602 of the Af-
18	ghan Allies Protection Act of 2009 (8 U.S.C. 1101
19	note); and
20	(2) submits to the appropriate congressional
21	committees, as defined in section 602(a) of the Af-
22	ghan Allies Protection Act of 2009 (8 U.S.C. 1101
23	note), the following reports:
24	(A) the report required under paragraph
25	(12) of section 602(b) of the Afghan Allies Pro-



1	tection Act of 2009 (8 U.S.C. 1101 note), as
2	amended by section 1222 of the John S
3	McCain National Defense Authorization Act for
4	Fiscal Year 2019 (Public Law 115–232);
5	(B) a report on the procedures and proc-
6	esses used by the Chief of Mission to determine
7	whether an Afghan applicant for a special im-
8	migrant visa under section 602 of the Afghan
9	Allies Protection Act of 2009 (8 U.S.C. 1101
10	note) has experienced, is experiencing, or may
11	reasonably be expected to experience an ongo-
12	ing, serious threat as a result of the qualifying
13	service of the applicant; and
14	(C) a report on the procedures for back-
15	ground and security checks on Afghan appli-
16	cants for special immigrant visas under such
17	section.
18	SAUDI ARABIA
19	SEC. 7077. None of the funds appropriated by this
20	Act under the heading "International Military Education
21	and Training" may be made available for assistance for
22	the Government of Saudi Arabia



1	TITLE VIII
2	OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3	WAR ON TERRORISM
4	DEPARTMENT OF STATE
5	Administration of Foreign Affairs
6	DIPLOMATIC PROGRAMS
7	(INCLUDING TRANSFER OF FUNDS)
8	For an additional amount for "Diplomatic Pro-
9	grams", \$3,225,971,000, to remain available until Sep-
10	tember 30, 2020, of which $$2,626,122,000$ is for World-
11	wide Security Protection and shall remain available until
12	expended: Provided, That the Secretary of State may
13	transfer up to \$5,000,000 of the total funds made avail-
14	able under this heading to any other appropriation of any
15	department or agency of the United States, upon the con-
16	currence of the head of such department or agency, to sup-
17	port operations in, and assistance for, Afghanistan and
18	to carry out the provisions of the Foreign Assistance Act
19	of 1961: Provided further, That any such transfer shall
20	be subject to the regular notification procedures of the
21	Committees on Appropriations: Provided further, That
22	such amount is designated by the Congress for Overseas
23	Contingency Operations/Global War on Terrorism pursu-
24	ant to section 251(b)(2)(A)(ii) of the Balanced Budget
25	and Emergency Deficit Control Act of 1985.



1	OFFICE OF INSPECTOR GENERAL
2	For an additional amount for "Office of Inspector
3	General", \$54,900,000, to remain available until Sep-
4	tember 30, 2020, which shall be for the Special Inspector
5	General for Afghanistan Reconstruction (SIGAR) for re-
6	construction oversight: Provided, That printing and repro-
7	duction costs of SIGAR shall not exceed amounts for such
8	costs during fiscal year 2018: Provided further, That such
9	amount is designated by the Congress for Overseas Con-
10	tingency Operations/Global War on Terrorism pursuant to
11	section 251(b)(2)(A)(ii) of the Balanced Budget and
12	Emergency Deficit Control Act of 1985.
13	International Organizations
14	CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS
15	For an additional amount for "Contributions to
16	International Organizations", \$96,240,000: Provided,
17	That such amount is designated by the Congress for Over-
18	seas Contingency Operations/Global War on Terrorism
19	pursuant to section 251(b)(2)(A)(ii) of the Balanced
20	Budget and Emergency Deficit Control Act of 1985.
21	CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
22	ACTIVITIES
23	For an additional amount for "Contributions for
24	International Peacekeeping Activities", \$988,656,000, to
25	remain available until September 30 2020: Provided



1	That such amount is designated by the Congress for Over-
2	seas Contingency Operations/Global War on Terrorism
3	pursuant to section 251(b)(2)(A)(ii) of the Balanced
4	Budget and Emergency Deficit Control Act of 1985.
5	UNITED STATES AGENCY FOR INTERNATIONAL
6	DEVELOPMENT
7	Funds Appropriated to the President
8	OPERATING EXPENSES
9	For an additional amount for "Operating Expenses",
10	\$158,067,000, to remain available until September 30,
11	2020: Provided, That such amount is designated by the
12	Congress for Overseas Contingency Operations/Global
13	War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
14	the Balanced Budget and Emergency Deficit Control Act
15	of 1985.
16	BILATERAL ECONOMIC ASSISTANCE
17	Funds Appropriated to the President
18	INTERNATIONAL DISASTER ASSISTANCE
19	For an additional amount for "International Disaster
20	Assistance", \$584,278,000, to remain available until ex-
21	pended: Provided, That such funds shall be apportioned
22	to the United States Agency for International Develop-
23	ment not later than 60 days after enactment of this Act:
24	Provided further, That such amount is designated by the
25	Concress for Overseas Contingency Operations/Global



1	War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
2	the Balanced Budget and Emergency Deficit Control Act
3	of 1985.
4	TRANSITION INITIATIVES
5	For an additional amount for "Transition Initia-
6	tives", $$62,043,000$, to remain available until expended:
7	Provided, That such amount is designated by the Congress
8	for Overseas Contingency Operations/Global War on Ter-
9	rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10	anced Budget and Emergency Deficit Control Act of 1985.
11	ECONOMIC SUPPORT FUND
12	For an additional amount for "Economic Support
13	Fund", \$1,172,336,000, to remain available until Sep-
14	tember 30, 2020: Provided, That such amount is des-
15	ignated by the Congress for Overseas Contingency Oper-
16	ations/Global War on Terrorism pursuant to section
17	251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18	Deficit Control Act of 1985.
19	DEPARTMENT OF STATE
20	MIGRATION AND REFUGEE ASSISTANCE
21	For an additional amount for "Migration and Ref-
22	ugee Assistance" to respond to refugee crises, including
23	in Africa, the Near East, South and Central Asia, and
24	Europe and Eurasia, \$1,404,124,000, to remain available
25	until expended, except that such funds shall not be made



1	available for the resettlement costs of refugees in the
2	United States: Provided, That such amount is designated
3	by the Congress for Overseas Contingency Operations,
4	Global War on Terrorism pursuant to section
5	251(b)(2)(A)(ii) of the Balanced Budget and Emergency
6	Deficit Control Act of 1985.
7	INTERNATIONAL SECURITY ASSISTANCE
8	DEPARTMENT OF STATE
9	PEACEKEEPING OPERATIONS
10	For an additional amount for "Peacekeeping Oper-
11	ations", \$325,213,000, to remain available until Sep-
12	tember 30, 2020: Provided, That such amount is des-
13	ignated by the Congress for Overseas Contingency Oper-
14	ations/Global War on Terrorism pursuant to section
15	251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16	Deficit Control Act of 1985: Provided further, That funds
17	available for obligation under this heading in this Act may
18	be used to pay assessed expenses of international peace-
19	keeping activities in Somalia under the same terms and
20	conditions, as applicable, as funds appropriated under the
21	heading "Contributions for International Peacekeeping
22	Activities" in this Act, subject to the regular notification
23	procedures of the Committees on Appropriations.



1	Funds Appropriated to the President
2	FOREIGN MILITARY FINANCING PROGRAM
3	For an additional amount for "Foreign Military Fi-
4	nancing Program", \$229,372,000, to remain available
5	until September 30, 2020: Provided, That such amount
6	is designated by the Congress for Overseas Contingency
7	Operations/Global War on Terrorism pursuant to section
8	251(b)(2)(A)(ii) of the Balanced Budget and Emergency
9	Deficit Control Act of 1985.
10	GENERAL PROVISIONS
11	ADDITIONAL APPROPRIATIONS
12	Sec. 8001. Notwithstanding any other provision of
13	law, funds appropriated in this title are in addition to
14	amounts appropriated or otherwise made available in this
15	Act for fiscal year 2019.
16	EXTENSION OF AUTHORITIES AND CONDITIONS
17	Sec. 8002. Unless otherwise provided for in this Act,
18	the additional amounts appropriated by this title to appro-
19	priations accounts in this Act shall be available under the
20	authorities and conditions applicable to such appropria-
21	tions accounts.
22	TRANSFER OF FUNDS
23	Sec. 8003. (a) Transfer of Funds Between Ac-
24	COUNTS.—



1	(1) Funds appropriated by this title in this Act
2	under the headings "Transition Initiatives" and
3	"Economic Support Fund" may be transferred to,
4	and merged with, funds appropriated by this title
5	under such headings.
6	(2) Funds appropriated by this title in this Act
7	under the headings "Peacekeeping Operations" and
8	"Foreign Military Financing Program" may be
9	transferred to, and merged with, funds appropriated
10	by this title under such headings.
11	(b) Global Security Contingency Fund.—Not-
12	withstanding any other provision of this section, up to
13	$\$7,\!500,\!000$ from funds appropriated under the headings
14	"Peacekeeping Operations" and "Foreign Military Fi-
15	nancing Program" by this title in this Act may be trans-
16	ferred to, and merged with, funds previously made avail-
17	able under the heading "Global Security Contingency
18	Fund".
19	(c) LIMITATION.—The transfer authority provided in
20	subsection (a) may only be exercised to address contin-
21	gencies.
22	(d) Notification.—The transfer authority provided
23	by this section shall be subject to prior consultation with,
24	and the regular notification procedures of, the Committees
25	on Appropriations: Provided, That such transfer authority



- 1 is in addition to any transfer authority otherwise available
- 2 under any other provision of law, including section 610
- 3 of the Foreign Assistance Act of 1961 which may be exer-
- 4 cised by the Secretary of State for the purposes of this
- 5 title.
- 6 RESCISSION
- 7 (INCLUDING RESCISSION OF FUNDS)
- 8 Sec. 8004. Of the unobligated balances from
- 9 amounts available under the heading "Diplomatic and
- 10 Consular Programs" in title II of the Security Assistance
- 11 Appropriations Act, 2017 (division B of Public Law 114–
- 12 254), \$301,200,000 are rescinded: *Provided*, That such
- 13 amount is designated by the Congress for Overseas Con-
- 14 tingency Operations/Global War on Terrorism pursuant to
- 15 section 251(b)(2)(A)(ii) of the Balanced Budget and
- 16 Emergency Deficit Control Act of 1985.
- 17 This division may be cited as the "Department of
- 18 State, Foreign Operations, and Related Programs Appro-
- 19 priations Act, 2019".

1	DIVISION G—TRANSPORTATION, HOUSING
2	AND URBAN DEVELOPMENT, AND RE-
3	LATED AGENCIES APPROPRIATIONS
4	ACT, 2019
5	TITLE I
6	DEPARTMENT OF TRANSPORTATION
7	OFFICE OF THE SECRETARY
8	SALARIES AND EXPENSES
9	For necessary expenses of the Office of the Secretary,
10	$\$113,\!910,\!000,$ of which not to exceed $\$3,\!065,\!000$ shall be
11	available for the immediate Office of the Secretary; not
12	to exceed $\$1,\!000,\!000$ shall be available for the immediate
13	Office of the Deputy Secretary; not to exceed $\$20,\!428,\!000$
14	shall be available for the Office of the General Counsel;
15	not to exceed $$10,331,000$ shall be available for the Office
16	of the Under Secretary of Transportation for Policy; not
17	to exceed $$14,300,000$ shall be available for the Office of
18	the Assistant Secretary for Budget and Programs; not to
19	exceed $\$2,546,000$ shall be available for the Office of the
20	Assistant Secretary for Governmental Affairs; not to ex-
21	ceed $$29,244,000$ shall be available for the Office of the
22	Assistant Secretary for Administration; not to exceed
23	$\$2,\!142,\!000$ shall be available for the Office of Public Af-
24	fairs; not to exceed $\$1,859,000$ shall be available for the
25	Office of the Executive Secretariat; not to exceed



- 1 \$12,181,000 shall be available for the Office of Intel-
- 2 ligence, Security, and Emergency Response; and not to ex-
- 3 ceed \$16,814,000 shall be available for the Office of the
- 4 Chief Information Officer: Provided, That the Secretary
- 5 of Transportation is authorized to transfer funds appro-
- 6 priated for any office of the Office of the Secretary to any
- 7 other office of the Office of the Secretary: Provided fur-
- 8 ther, That no appropriation for any office shall be in-
- 9 creased or decreased by more than 7 percent by all such
- 10 transfers: Provided further, That notice of any change in
- 11 funding greater than 7 percent shall be submitted for ap-
- 12 proval to the House and Senate Committees on Appropria-
- 13 tions: Provided further, That not to exceed \$60,000 shall
- 14 be for allocation within the Department for official recep-
- 15 tion and representation expenses as the Secretary may de-
- 16 termine: Provided further, That notwithstanding any other
- 17 provision of law, excluding fees authorized in Public Law
- 18 107–71, there may be credited to this appropriation up
- 19 to \$2,500,000 in funds received in user fees: Provided fur-
- 20 ther, That none of the funds provided in this Act shall
- 21 be available for the position of Assistant Secretary for
- 22 Public Affairs.
- 23 RESEARCH AND TECHNOLOGY
- 24 For necessary expenses related to the Office of the
- 25 Assistant Secretary for Research and Technology,



- 1 \$8,471,000, of which \$2,218,000 shall remain available
- 2 until September 30, 2021: Provided, That there may be
- 3 credited to this appropriation, to be available until ex-
- 4 pended, funds received from States, counties, municipali-
- 5 ties, other public authorities, and private sources for ex-
- 6 penses incurred for training: Provided further, That any
- 7 reference in law, regulation, judicial proceedings, or else-
- 8 where to the Research and Innovative Technology Admin-
- 9 istration shall continue to be deemed to be a reference to
- 10 the Office of the Assistant Secretary for Research and
- 11 Technology of the Department of Transportation.
- 12 NATIONAL INFRASTRUCTURE INVESTMENTS
- For capital investments in surface transportation in-
- 14 frastructure, \$900,000,000, to remain available through
- 15 September 30, 2021: Provided, That the Secretary of
- 16 Transportation shall distribute funds provided under this
- 17 heading as discretionary grants to be awarded to a State,
- 18 local government, transit agency, port authority, or a col-
- 19 laboration among such entities on a competitive basis for
- 20 projects that will have a significant local or regional im-
- 21 pact: Provided further, That projects eligible for funding
- 22 provided under this heading shall include, but not be lim-
- 23 ited to, highway or bridge projects eligible under title 23,
- 24 United States Code; public transportation projects eligible
- 25 under chapter 53 of title 49, United States Code; pas-



1	senger and freight rail transportation projects; and port
2	infrastructure investments (including inland port infra-
3	structure and land ports of entry): $Provided\ further,\ That$
4	of the amount made available under this heading, the Sec-
5	retary may use an amount not to exceed $$15,000,000$ for
6	the planning, preparation or design of projects eligible for
7	funding under this heading: $Provided\ further,\ That\ grants$
8	awarded under the previous proviso shall not be subject
9	to a minimum grant size: $Provided\ further,$ That the Sec-
10	retary may use up to 20 percent of the funds made avail-
11	able under this heading for the purpose of paying the sub-
12	sidy and administrative costs of projects eligible for Fed-
13	eral credit assistance under chapter 6 of title 23, United
14	States Code, or sections 501 through 504 of the Railroad
15	Revitalization and Regulatory Reform Act of 1976 (Public
16	Law 94–210), as amended, if the Secretary finds that
17	such use of the funds would advance the purposes of this
18	paragraph: Provided further, That in distributing funds
19	provided under this heading, the Secretary shall take such
20	measures so as to ensure an equitable geographic distribu-
21	tion of funds, an appropriate balance in addressing the
22	needs of urban and rural areas, and the investment in a
23	variety of transportation modes: Provided further, That a
24	grant funded under this heading shall be not less than
25	\$5,000,000 and not greater than \$25,000,000: Provided



1	further, That not more than 10 percent of the funds made
2	available under this heading may be awarded to projects
3	in a single State: $Provided\ further,$ That the Federal share
4	of the costs for which an expenditure is made under this
5	heading shall be, at the option of the recipient, up to 80
6	percent: Provided further, That the Secretary shall give
7	priority to projects that require a contribution of Federal
8	funds in order to complete an overall financing package:
9	Provided further, That of the funds made available under
10	this heading not more than 50 percent shall be for projects
11	located in a rural area with a population equal to or less
12	than 200,000: Provided further, That for projects located
13	in a rural area, the minimum grant size shall be
14	\$1,000,000 and the Secretary may increase the Federal
15	share of costs above 80 percent: Provided further, That
16	of the funds made available under this heading not more
17	than 50 percent shall be for projects located in an urban-
18	ized area with a population of more than 200,000: Pro-
19	vided further, That funds for an urbanized area under the
20	previous proviso may be obligated to projects in the metro-
21	politan area established under section 134 of title 23,
22	United States Code, that encompasses such urbanized
23	area: Provided further, That projects conducted using
24	funds provided under this heading must comply with the
25	requirements of subchapter IV of chapter 31 of title 40,



1	United States Code: Provided further, That the Secretary
2	shall conduct a new competition to select the grants and
3	credit assistance awarded under this heading: $Provided$
4	further, That the Secretary may set aside not more than
5	3 percent of the funds provided under this heading, and
6	may transfer portions of those funds to the Administrators
7	of the Federal Highway Administration, the Federal Tran-
8	sit Administration, the Federal Railroad Administration,
9	and the Maritime Administration to fund the award and
10	oversight of grants and credit assistance made under the
11	${\bf National\ Infrastructure\ Investments\ program:\ } {\it Provided}$
12	further, That the Secretary shall consider and award
13	projects based solely on the selection criteria from the fis-
14	cal year 2017 Notice of Funding Opportunity: $Provided$
15	further, That, notwithstanding the previous proviso, the
16	Secretary shall not use the Federal share or an applicant's
17	ability to generate non-Federal revenue as a selection cri-
18	teria in awarding projects: Provided further, That the Sec-
19	retary shall issue the Notice of Funding Opportunity no
20	later than 60 days after enactment of this Act: $Provided$
21	further, That such Notice of Funding Opportunity shall
22	require application submissions 90 days after the pub-
23	lishing of such Notice: Provided further, That of the appli-
24	cations submitted under the previous two provisos, the
25	Secretary shall make grants no later than 270 days after



1 enactm	ent of	this	Act	in	such	amounts	that	the	Secretary	V
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- 2 determines: *Provided further*, That such sums provided for
- 3 national infrastructure investments for passenger rail
- 4 transportation projects under title I of division C of the
- 5 Consolidated and Further Continuing Appropriations Act,
- 6 2012 (Public Law 112-55; 125 Stat. 641), shall remain
- 7 available for expenditure through fiscal year 2019 for the
- 8 liquidation of valid obligations of active grants awarded
- 9 with this funding: Provided further, That such sums pro-
- 10 vided for national infrastructure investments for port in-
- 11 frastructure projects under title VIII of division F of the
- 12 Consolidated and Further Continuing Appropriations Act,
- 13 2013 (Public Law 113-6; 127 Stat. 432) shall remain
- 14 available through fiscal year 2020 for the liquidation of
- 15 valid obligations of active grants awarded with this fund-
- 16 ing: Provided further, That the 2 preceding provisos shall
- 17 be applied as if they were in effect on September 30, 2018.
- 18 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
- 19 FINANCE BUREAU
- 20 For necessary expenses of the National Surface
- 21 Transportation and Innovative Finance Bureau as author-
- 22 ized by 49 U.S.C. 116, \$5,000,000, to remain available
- 23 until expended: Provided, That the Secretary shall notify
- 24 the House and Senate Committees on Appropriations no
- 25 less than 15 days prior to exercising the transfer authority



1	granted under section 116(h) of title 49, United States
2	Code.
3	FINANCIAL MANAGEMENT CAPITAL
4	For necessary expenses for upgrading and enhancing
5	the Department of Transportation's financial systems and
6	re-engineering business processes, \$2,000,000, to remain
7	available through September 30, 2020.
8	CYBER SECURITY INITIATIVES
9	For necessary expenses for cyber security initiatives,
10	including necessary upgrades to wide area network and
11	information technology infrastructure, improvement of
12	network perimeter controls and identity management,
13	testing and assessment of information technology against
14	business, security, and other requirements, implementa-
15	tion of Federal cyber security initiatives and information
16	infrastructure enhancements, and implementation of en-
17	hanced security controls on network devices, $\$15,000,000,$
18	to remain available through September 30, 2020.
19	OFFICE OF CIVIL RIGHTS
20	For necessary expenses of the Office of Civil Rights,
21	\$9,470,000.
22	TRANSPORTATION PLANNING, RESEARCH, AND
23	DEVELOPMENT
24	For necessary expenses for conducting transportation
25	planning, research, systems development, development ac-



- 1 tivities, and making grants, \$7,879,000, to remain avail-
- 2 able until expended: *Provided*, That of such amount,
- 3 \$1,000,000 shall be for necessary expenses of the Inter-
- 4 agency Infrastructure Permitting Improvement Center
- 5 (IIPIC): Provided further, That there may be transferred
- 6 to this appropriation, to remain available until expended,
- 7 amounts transferred from other Federal agencies for ex-
- 8 penses incurred under this heading for IIPIC activities not
- 9 related to transportation infrastructure: Provided further,
- 10 That the tools and analysis developed by the IIPIC shall
- 11 be available to other Federal agencies for the permitting
- 12 and review of major infrastructure projects not related to
- 13 transportation only to the extent that other Federal agen-
- 14 cies provide funding to the Department as provided for
- 15 under the previous proviso.
- 16 working capital fund
- 17 For necessary expenses for operating costs and cap-
- 18 ital outlays of the Working Capital Fund, not to exceed
- 19 \$319,793,000, shall be paid from appropriations made
- 20 available to the Department of Transportation: Provided,
- 21 That such services shall be provided on a competitive basis
- 22 to entities within the Department of Transportation: Pro-
- 23 vided further, That the above limitation on operating ex-
- 24 penses shall not apply to non-DOT entities: Provided fur-
- 25 ther, That no funds appropriated in this Act to an agency



- 1 of the Department shall be transferred to the Working
- 2 Capital Fund without majority approval of the Working
- 3 Capital Fund Steering Committee and approval of the
- 4 Secretary: Provided further, That no assessments may be
- 5 levied against any program, budget activity, subactivity or
- 6 project funded by this Act unless notice of such assess-
- 7 ments and the basis therefor are presented to the House
- 8 and Senate Committees on Appropriations and are ap-
- 9 proved by such Committees.
- 10 MINORITY BUSINESS RESOURCE CENTER PROGRAM
- 11 For necessary expenses of the Minority Business Re-
- 12 source Center, the provision of financial education out-
- 13 reach activities to eligible transportation-related small
- 14 businesses, the monitoring of existing loans in the guaran-
- 15 teed loan program, and the modification of such loans of
- 16 the Minority Business Resource Center, \$500,000, as au-
- 17 thorized by 49 U.S.C. 332; Provided, That notwith-
- 18 standing that section, these funds may be for business op-
- 19 portunities related to any mode of transportation.
- 20 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
- 21 OUTREACH
- For necessary expenses for small and disadvantaged
- 23 business utilization and outreach activities, \$3,488,000, to
- 24 remain available until September 30, 2020: Provided,
- 25 That notwithstanding 49 U.S.C. 332, these funds may be



1	used for business opportunities related to any mode of
2	transportation.
3	PAYMENTS TO AIR CARRIERS
4	(AIRPORT AND AIRWAY TRUST FUND)
5	In addition to funds made available from any other
6	source to carry out the essential air service program under
7	49 U.S.C. 41731 through 41742, \$175,000,000, to be de-
8	rived from the Airport and Airway Trust Fund, to remain
9	available until expended: Provided, That in determining
10	between or among carriers competing to provide service
11	to a community, the Secretary may consider the relative
12	subsidy requirements of the carriers: Provided further,
13	That basic essential air service minimum requirements
14	shall not include the 15-passenger capacity requirement
15	under subsection 41732(b)(3) of title 49, United States
16	Code: Provided further, That none of the funds in this Act
17	or any other Act shall be used to enter into a new contract
18	with a community located less than 40 miles from the
19	nearest small hub airport before the Secretary has nego-
20	tiated with the community over a local cost share: Pro-
21	vided further, That amounts authorized to be distributed
22	for the essential air service program under subsection
23	41742(b) of title 49, United States Code, shall be made
24	available immediately from amounts otherwise provided to
25	the Administrator of the Federal Aviation Administration:



1	${\it Provided \ further}, \ {\it That \ the \ Administrator \ may \ reimburse}$
2	such amounts from fees credited to the account estab-
3	lished under section 45303 of title 49, United States Code.
4	ADMINISTRATIVE PROVISIONS—OFFICE OF THE
5	SECRETARY OF TRANSPORTATION
6	Sec. 101. None of the funds made available in this
7	Act to the Department of Transportation may be obligated
8	for the Office of the Secretary of Transportation to ap-
9	prove assessments or reimbursable agreements pertaining
10	to funds appropriated to the modal administrations in this
11	Act, except for activities underway on the date of enact-
12	ment of this Act, unless such assessments or agreements
13	have completed the normal reprogramming process for
14	Congressional notification.
15	Sec. 102. The Secretary shall post on the Web site
16	of the Department of Transportation a schedule of all
17	meetings of the Council on Credit and Finance, including
18	the agenda for each meeting, and require the Council on
19	Credit and Finance to record the decisions and actions
20	of each meeting.
21	Sec. 103. In addition to authority provided by section
22	327 of title 49, United States Code, the Department's
23	Working Capital Fund is hereby authorized to provide
24	partial or full payments in advance and accept subsequent
25	reimbursements from all Federal agencies from available



1	funds for transit benefit distribution services that are nec-
2	essary to carry out the Federal transit pass transportation
3	fringe benefit program under Executive Order No. 13150
4	and section 3049 of Public Law 109-59: Provided, That
5	the Department shall maintain a reasonable operating re-
6	serve in the Working Capital Fund, to be expended in ad-
7	vance to provide uninterrupted transit benefits to Govern-
8	ment employees: Provided further, That such reserve will
9	not exceed one month of benefits payable and may be used
10	only for the purpose of providing for the continuation of
11	transit benefits: Provided further, That the Working Cap-
12	ital Fund will be fully reimbursed by each customer agen-
13	cy from available funds for the actual cost of the transit
14	benefit.
15	FEDERAL AVIATION ADMINISTRATION
16	OPERATIONS
17	(AIRPORT AND AIRWAY TRUST FUND)
18	For necessary expenses of the Federal Aviation Ad-
19	ministration, not otherwise provided for, including oper-
20	ations and research activities related to commercial space
21	transportation, administrative expenses for research and
22	development, establishment of air navigation facilities, the
23	operation (including leasing) and maintenance of aircraft,
24	subsidizing the cost of aeronautical charts and maps sold
25	to the public the lease or nurchase of passenger motor



1	vehicles for replacement only, in addition to amounts made
2	available by Public Law 112–95, $$10,410,758,000$, to re-
3	main available until September 30, 2020, of which
4	\$9,833,400,000 shall be derived from the Airport and Air-
5	way Trust Fund, of which not to exceed $\$7,841,720,000$
6	shall be available for air traffic organization activities; not
7	to exceed $$1,336,969,000$ shall be available for aviation
8	safety activities; not to exceed \$24,949,000 shall be avail-
9	able for commercial space transportation activities; not to
10	exceed $\$816,398,000$ shall be available for finance and
11	management activities; not to exceed $$61,258,000$ shall be
12	available for NextGen and operations planning activities;
13	not to exceed $$114,165,000$ shall be available for security
14	and hazardous materials safety; and not to exceed
15	$\$215{,}299{,}000$ shall be available for staff offices: $Provided,$
16	That not to exceed 5 percent of any budget activity, except
17	for aviation safety budget activity, may be transferred to
18	any budget activity under this heading: $Provided\ further,$
19	That no transfer may increase or decrease any appropria-
20	tion by more than 5 percent: Provided further, That any
21	transfer in excess of 5 percent shall be treated as a re-
22	programming of funds under section 405 of this Act and
23	shall not be available for obligation or expenditure except
24	in compliance with the procedures set forth in that section:
25	Provided further, That not later than March 31 of each



1	fiscal year hereafter, the Administrator of the Federal
2	Aviation Administration shall transmit to Congress an an-
3	nual update to the report submitted to Congress in De-
4	cember 2004 pursuant to section 221 of Public Law 108-
5	176: Provided further, That the amount herein appro-
6	priated shall be reduced by \$100,000 for each day after
7	March 31 that such report has not been submitted to the
8	Congress: Provided further, That not later than March 31
9	of each fiscal year hereafter, the Administrator shall
10	transmit to Congress a companion report that describes
11	a comprehensive strategy for staffing, hiring, and training
12	flight standards and aircraft certification staff in a format
13	similar to the one utilized for the controller staffing plan
14	including stated attrition estimates and numerical hiring
15	goals by fiscal year: Provided further, That the amount
16	herein appropriated shall be reduced by \$100,000 per day
17	for each day after March 31 that such report has not been
18	submitted to Congress: Provided further, That funds may
19	be used to enter into a grant agreement with a nonprofit
20	standard-setting organization to assist in the development
21	of aviation safety standards: Provided further, That none
22	of the funds in this Act shall be available for new appli-
23	cants for the second career training program: Provided
24	further, That none of the funds in this Act shall be avail-
25	able for the Federal Agistion Administration to finalize



1	or implement any regulation that would promulgate new
2	aviation user fees not specifically authorized by law after
3	the date of the enactment of this Act: Provided further,
4	That there may be credited to this appropriation, as off-
5	setting collections, funds received from States, counties,
6	municipalities, foreign authorities, other public authori-
7	ties, and private sources for expenses incurred in the pro-
8	vision of agency services, including receipts for the mainte-
9	nance and operation of air navigation facilities, and for
10	issuance, renewal or modification of certificates, including
11	airman, aircraft, and repair station certificates, or for
12	tests related thereto, or for processing major repair or al-
13	teration forms: Provided further, That of the funds appro-
14	priated under this heading, not less than \$168,000,000
15	shall be used to fund direct operations of the current 254
16	air traffic control towers in the contract tower program.
17	including the contract tower cost share program, and any
18	airport that is currently qualified or that will qualify for
19	the program during the fiscal year: Provided further, That
20	none of the funds in this Act for aeronautical charting
21	and cartography are available for activities conducted by
22	or coordinated through, the Working Capital Fund: $Pro-$
23	vided further, That none of the funds appropriated or oth-
24	erwise made available by this Act or any other Act may
25	he used to eliminate the Contract Weather Observers are



1	gram at any airport: Provided further, That of the amount
2	appropriated under this heading, up to \$6,000,000 shall
3	be used for providing matching funds to qualified commer-
4	cial entities seeking to demonstrate or validate tech-
5	nologies that the Federal Aviation Administration con-
6	siders essential to the safe integration of unmanned air-
7	craft systems (UAS) in the National Airspace System at
8	Federal Aviation Administration designated UAS test
9	sites: Provided further, That not later than 60 days after
10	the date of enactment of this Act, the Administrator of
11	the Federal Aviation Administration shall identify essen-
12	tial integration technologies that could be demonstrated
13	or validated at test sites designated in accordance with
14	the preceding proviso.
15	FACILITIES AND EQUIPMENT
16	(AIRPORT AND AIRWAY TRUST FUND)
17	For necessary expenses, not otherwise provided for,
18	for acquisition, establishment, technical support services,
19	improvement by contract or purchase, and hire of national
20	airspace systems and experimental facilities and equip-
21	ment, as authorized under part A of subtitle VII of title
22	49, United States Code, including initial acquisition of
23	necessary sites by lease or grant; engineering and service
24	testing, including construction of test facilities and acqui-
25	sition of necessary sites by lease or grant; construction



1	and furnishing of quarters and related accommodations
2	for officers and employees of the Federal Aviation Admin-
3	istration stationed at remote localities where such accom-
4	modations are not available; and the purchase, lease, or
5	transfer of aircraft from funds available under this head
6	ing, including aircraft for aviation regulation and certific
7	cation; to be derived from the Airport and Airway Trus
8	Fund, \$3,000,000,000, of which \$512,823,000 shall re-
9	main available until September 30, 2020, \$2,372,127,000
10	shall remain available until September 30, 2021, and
11	\$115,050,000 shall remain available until expended: $Pro-$
12	vided, That there may be credited to this appropriation
13	funds received from States, counties, municipalities, other
14	public authorities, and private sources, for expenses in
15	curred in the establishment, improvement, and moderniza
16	tion of national airspace systems: Provided further, That
17	no later than March 31, the Secretary of Transportation
18	shall transmit to the Congress an investment plan for the
19	Federal Aviation Administration which includes funding
20	for each budget line item for fiscal years 2020 through
21	2024, with total funding for each year of the plan con-
22	strained to the funding targets for those years as esti-
23	mated and approved by the Office of Management and
24	Budget.



1	RESEARCH, ENGINEERING, AND DEVELOPMENT
2	(AIRPORT AND AIRWAY TRUST FUND)
3	For necessary expenses, not otherwise provided for
4	for research, engineering, and development, as authorized
5	under part A of subtitle VII of title 49, United States
6	Code, including construction of experimental facilities and
7	acquisition of necessary sites by lease or grant
8	\$191,100,000, to be derived from the Airport and Airway
9	Trust Fund and to remain available until September 30
10	2021: Provided, That there may be credited to this appro-
11	priation as offsetting collections, funds received from
12	States, counties, municipalities, other public authorities
13	and private sources, which shall be available for expenses
14	incurred for research, engineering, and development: Pro-
15	vided further, That funds made available under this head-
16	ing shall be used in accordance with the explanatory state-
17	ment accompanying this Act: Provided further, That not
18	to exceed 10 percent of any funding level specified under
19	this heading in the explanatory statement accompanying
20	this Act may be transferred to any other funding level
21	specified under this heading in the explanatory statement
22	accompanying this Act: Provided further, That no transfer
23	may increase or decrease any funding level by more than
24	10 percent: Provided further, That any transfer in excess
25	of 10 percent shall be treated as a reprogramming of



1	funds under section 405 of this Act and shall not be avail-
2	able for obligation or expenditure except in compliance
3	with the procedures set forth in that section.
4	GRANTS-IN-AID FOR AIRPORTS
5	(LIQUIDATION OF CONTRACT AUTHORIZATION)
6	(LIMITATION ON OBLIGATIONS)
7	(AIRPORT AND AIRWAY TRUST FUND)
8	(INCLUDING TRANSFER OF FUNDS)
9	For liquidation of obligations incurred for grants-in-
10	aid for airport planning and development, and noise com-
11	patibility planning and programs as authorized under sub-
12	chapter I of chapter 471 and subchapter I of chapter 475
13	of title 49, United States Code, and under other law au-
14	thorizing such obligations; for procurement, installation
15	and commissioning of runway incursion prevention devices
16	and systems at airports of such title; for grants authorized
17	under section 41743 of title 49, United States Code; and
18	for inspection activities and administration of airport safe-
19	ty programs, including those related to airport operating
20	certificates under section 44706 of title 49, United States
21	Code, \$3,000,000,000, to be derived from the Airport and
22	Airway Trust Fund and to remain available until ex-
23	pended: Provided, That none of the funds under this head-
24	ing shall be available for the planning or execution of pro-
25	grams the obligations for which are in exacts of



1	\$3,350,000,000 in fiscal year 2019, notwithstanding sec
2	tion 47117(g) of title 49, United States Code: Provided
3	further, That none of the funds under this heading shall
4	be available for the replacement of baggage conveyor sys
5	tems, reconfiguration of terminal baggage areas, or other
6	airport improvements that are necessary to install bulk ex-
7	plosive detection systems: Provided further, That notwith
8	standing section 47109(a) of title 49, United States Code
9	the Government's share of allowable project costs under
10	paragraph (2) for subgrants or paragraph (3) of that sec
11	tion shall be 95 percent for a project at other than a large
12	or medium hub airport that is a successive phase of a
13	multi-phased construction project for which the project
14	sponsor received a grant in fiscal year 2011 for the con-
15	struction project: Provided further, That notwithstanding
16	any other provision of law, of funds limited under this
17	heading, not more than \$112,600,000 shall be available
18	for administration, not less than \$15,000,000 shall be
19	available for the Airport Cooperative Research Program
20	not less than \$33,210,000 shall be available for Airport
21	Technology Research, and \$10,000,000, to remain avail
22	able until expended, shall be available and transferred to
23	"Office of the Secretary, Salaries and Expenses" to carry
24	out the Small Community Air Service Development Pro-
25	oram: Provided further That in addition to airports eligi-



- 1 ble under section 41743 of title 49, United States Code,
- 2 such program may include the participation of an airport
- 3 that serves a community or consortium that is not larger
- 4 than a small hub airport, according to FAA hub classifica-
- 5 tions effective at the time the Office of the Secretary
- 6 issues a request for proposals.
- 7 Grants-in-aid for airports
- 8 For an additional amount for "Grants-In-Aid for Air-
- 9 ports", to enable the Secretary of Transportation to make
- 10 grants for projects as authorized by subchapter 1 of chap-
- 11 ter 471 and subchapter 1 of chapter 475 of title 49,
- 12 United States Code, \$500,000,000, to remain available
- 13 through September 30, 2021: Provided, That amounts
- 14 made available under this heading shall be derived from
- 15 the general fund, and such funds shall not be subject to
- 16 apportionment formulas, special apportionment categories,
- 17 or minimum percentages under chapter 471: Provided fur-
- 18 ther, That the Secretary shall distribute funds provided
- 19 under this heading as discretionary grants to airports:
- 20 Provided further, That the amount made available under
- 21 this heading shall not be subject to any limitation on obli-
- 22 gations for the Grants-in-Aid for Airports program set
- 23 forth in any Act: Provided further, That the Administrator
- 24 of the Federal Aviation Administration may retain up to
- 25 0.5 percent of the funds provided under this heading to



1	fund	the	award	and	oversight	by	the	${\bf Administrator}$	of
2	grant	s ma	ade und	er thi	is heading.				
3	АТ	MIX	патрат	IVE I	PROVISIONS	21	erini Turin	ERAL AVIATION	

4 ADMINISTRATION

- 5 Sec. 110. None of the funds in this Act may be used
- 6 to compensate in excess of 600 technical staff-years under
- 7 the federally funded research and development center con-
- 8 tract between the Federal Aviation Administration and the
- 9 Center for Advanced Aviation Systems Development dur-
- 10 ing fiscal year 2019.
- 11 Sec. 111. None of the funds in this Act shall be used
- 12 to pursue or adopt guidelines or regulations requiring air-
- 13 port sponsors to provide to the Federal Aviation Adminis-
- 14 tration without cost building construction, maintenance,
- 15 utilities and expenses, or space in airport sponsor-owned
- 16 buildings for services relating to air traffic control, air
- 17 navigation, or weather reporting: Provided, That the pro-
- 18 hibition of funds in this section does not apply to negotia-
- 19 tions between the agency and airport sponsors to achieve
- 20 agreement on "below-market" rates for these items or to
- 21 grant assurances that require airport sponsors to provide
- 22 land without cost to the Federal Aviation Administration
- 23 for air traffic control facilities.
- 24 Sec. 112. The Administrator of the Federal Aviation
- 25 Administration may reimburse amounts made available to



- 1 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
- 2 49 U.S.C. 45303 and any amount remaining in such ac-
- 3 count at the close of that fiscal year may be made available
- 4 to satisfy section 41742(a)(1) for the subsequent fiscal
- 5 year.
- 6 Sec. 113. Amounts collected under section 40113(e)
- 7 of title 49, United States Code, shall be credited to the
- 8 appropriation current at the time of collection, to be
- 9 merged with and available for the same purposes of such
- 10 appropriation.
- 11 Sec. 114. None of the funds in this Act shall be avail-
- 12 able for paying premium pay under subsection 5546(a) of
- 13 title 5, United States Code, to any Federal Aviation Ad-
- 14 ministration employee unless such employee actually per-
- 15 formed work during the time corresponding to such pre-
- 16 mium pay.
- 17 SEC. 115. None of the funds in this Act may be obli-
- 18 gated or expended for an employee of the Federal Aviation
- 19 Administration to purchase a store gift card or gift certifi-
- 20 cate through use of a Government-issued credit card.
- 21 Sec. 116. None of the funds in this Act may be obli-
- 22 gated or expended for retention bonuses for an employee
- 23 of the Federal Aviation Administration without the prior
- 24 written approval of the Assistant Secretary for Adminis-
- 25 tration of the Department of Transportation.



- 1 Sec. 117. Notwithstanding any other provision of
- 2 law, none of the funds made available under this Act or
- 3 any prior Act may be used to implement or to continue
- 4 to implement any limitation on the ability of any owner
- 5 or operator of a private aircraft to obtain, upon a request
- 6 to the Administrator of the Federal Aviation Administra-
- 7 tion, a blocking of that owner's or operator's aircraft reg-
- 8 istration number from any display of the Federal Aviation
- 9 Administration's Aircraft Situational Display to Industry
- 10 data that is made available to the public, except data made
- 11 available to a Government agency, for the noncommercial
- 12 flights of that owner or operator.
- 13 Sec. 118. None of the funds in this Act shall be avail-
- 14 able for salaries and expenses of more than eight political
- 15 and Presidential appointees in the Federal Aviation Ad-
- 16 ministration.
- 17 Sec. 119. None of the funds made available under
- 18 this Act may be used to increase fees pursuant to section
- 19 44721 of title 49, United States Code, until the Federal
- 20 Aviation Administration provides to the House and Senate
- 21 Committees on Appropriations a report that justifies all
- 22 fees related to aeronautical navigation products and ex-
- 23 plains how such fees are consistent with Executive Order
- **24** 13642.



- 1 Sec. 119A. None of the funds in this Act may be
- 2 used to close a regional operations center of the Federal
- 3 Aviation Administration or reduce its services unless the
- 4 Administrator notifies the House and Senate Committees
- 5 on Appropriations not less than 90 full business days in
- 6 advance.
- 7 Sec. 119B. None of the funds appropriated or lim-
- 8 ited by this Act may be used to change weight restrictions
- 9 or prior permission rules at Teterboro airport in
- 10 Teterboro, New Jersey.
- 11 Sec. 119C. None of the funds provided under this
- 12 Act may be used by the Administrator of the Federal Avia-
- 13 tion Administration to withhold from consideration and
- 14 approval any new application for participation in the Con-
- 15 tract Tower Program, or for reevaluation of Cost-share
- 16 Program participants as long as the Federal Aviation Ad-
- 17 ministration has received an application from the airport,
- 18 and as long as the Administrator determines such tower
- 19 is eligible using the factors set forth in the Federal Avia-
- 20 tion Administration report, Establishment and Dis-
- 21 continuance Criteria for Airport Traffic Control Towers
- 22 (FAA-APO-90-7 as of August, 1990).
- 23 Sec. 119D. Notwithstanding any other provision of
- 24 law, none of the funds made available in this Act may be
- 25 obligated or expended to limit the use of an Organization



- 1 Designation Authorization's (ODA) delegated functions
- 2 documented in its procedures manual on a type certifi-
- 3 cation project unless the Administrator documents a sys-
- 4 temic airworthiness noncompliance performance issue as
- 5 a result of inspection or oversight that the safety of air
- 6 commerce requires a limitation with regard to a specific
- 7 authorization or where an ODA's capability has not been
- 8 previously established in terms of a new compliance meth-
- 9 od or design feature: Provided, That in such cases FAA
- 10 shall work with the ODA holder if requested to develop
- 11 the capability to execute that function safely, efficiently
- 12 and effectively: Provided further, That this section does
- 13 not limit the authority of the Federal Aviation Administra-
- 14 tion to pursue emergency actions on ODAs where specific
- 15 safety issues are noted.
- 16 Sec. 119E. None of the funds made available by this
- 17 Act and apportioned under section 47114(d) of title 49,
- 18 United States Code, shall be made available for construc-
- 19 tion of a storage building, or a portion of such building,
- 20 to shelter snow equipment in excess of equipment needs
- 21 established by standards issued by the Secretary of Trans-
- 22 portation that is owned by an airport categorized as a local
- 23 general aviation airport as indicated in Federal Aviation
- 24 Administration 2017- 2021 National Plan of Integrated



1	Airport Systems (NPIAS) report unless such airport spon-
2	sor certifies conformity with the following:
3	(1) The storage building, or portion thereof, to
4	be constructed will be used to store snow removal
5	equipment exclusively used for clearing airfield pave-
6	ment of snow and ice following a weather event.
7	(2) The 30-year annual snowfall normal of the
8	nearest weather station based on the National Oce-
9	anic and Atmospheric Administration Summary of
10	Monthly Normals 1981-2010 exceeds 26 inches.
11	(3) The airport serves as a base for a medical
12	air ambulance transport aircraft; (d)that the airport
13	master record (Form 5010-1) effective on September
14	14, 2017 for the airport indicates 45 based aircraft
15	consisting of single engine, multiple engine, and jet
16	engine aircraft.
17	(4) The airport sponsor will complete design of
18	the storage building not later than fiscal year 2018
19	and initiate construction of the storage building not
20	later than fiscal year 2019.
21	(5) The area of the storage building, or portion
22	thereof, to be funded under this section shall not ex-
23	ceed 6,000 square feet.
24	Sec. 119F. (a) Terminal Aerodrome Fore-
25	CAST.—The Administrator shall permit an air carrier op-



- 1 eration under part 121 of title 14, Code of Federal Regu-
- 2 lations, to operate to a destination determined to be under
- 3 visual flight rules without a Terminal Aerodrome Forecast
- 4 or Meteorological Aerodrome Report if a current Area
- 5 Forecast, supplemented by other local weather observa-
- 6 tions or reports, is available, and an alternate airport that
- 7 has an available Terminal Aerodrome Forecast and weath-
- 8 er report is specified. The air carrier shall have approved
- 9 procedures for dispatch and en route weather evaluation
- 10 and shall operate under instrument flight rules en route
- 11 to the destination.
- 12 (b) LIMITATION.—Without a written finding of neces-
- 13 sity, based on objective and historical evidence of immi-
- 14 nent threat to safety, the Administrator shall not promul-
- 15 gate any operation specification, policy, or guidance docu-
- 16 ment that is more restrictive than, or requires procedures
- 17 that are not expressly stated in, the regulations.
- 18 Sec. 119G. Of the funds provided under the heading
- 19 "Grants-in-aid for Airports", up to \$3,500,000 shall be
- 20 for necessary expenses, including an independent
- 21 verification regime, to provide reimbursement to airport
- 22 sponsors that do not provide gateway operations and pro-
- 23 viders of general aviation ground support services located
- 24 at those airports closed during a temporary flight restric-
- 25 tion (TFR) for any residence of the President that is des-



1	ignated or identified to be secured by the United States
2	Secret Service, and for direct and incremental financial
3	losses incurred while such airports are closed solely due
4	to the actions of the Federal Government: Provided, That
5	no funds shall be obligated or distributed to airport spon-
6	sors that do not provide gateway operations and providers
7	of general aviation ground support services until an inde-
8	pendent audit is completed: Provided further, That losses
9	incurred as a result of violations of law, or through fault
10	or negligence, of such operators and service providers or
11	of third parties (including airports) are not eligible for re-
12	imbursements: Provided further, That obligation and ex-
13	penditure of funds are conditional upon full release of the
14	United States Government for all claims for financial
15	losses resulting from such actions.
16	FEDERAL HIGHWAY ADMINISTRATION
17	LIMITATION ON ADMINISTRATIVE EXPENSES
18	(HIGHWAY TRUST FUND)
19	(INCLUDING TRANSFER OF FUNDS)
20	Not to exceed \$446,444,304, together with advances
21	and reimbursements received by the Federal Highway Ad-
22	ministration, shall be obligated for necessary expenses for
23	administration and operation of the Federal Highway Ad-
24	ministration. In addition, \$3.248,000 shall be transferred



1	to the Appalachian Regional Commission in accordance
2	with section 104(a) of title 23, United States Code.
3	FEDERAL-AID HIGHWAYS
4	(LIMITATION ON OBLIGATIONS)
5	(HIGHWAY TRUST FUND)
6	Funds available for the implementation or execution
7	of Federal-aid highway and highway safety construction
8	programs authorized under titles 23 and 49, United States
9	Code, and the provisions of the Fixing America's Surface
10	Transportation Act shall not exceed total obligations of
11	\$45,268,596,000 for fiscal year 2019: $Provided$, That the
12	Secretary may collect and spend fees, as authorized by
13	title 23, United States Code, to cover the costs of services
14	of expert firms, including counsel, in the field of municipal
15	and project finance to assist in the underwriting and serv-
16	icing of Federal credit instruments and all or a portion
17	of the costs to the Federal Government of servicing such
18	credit instruments: Provided further, That such fees are
19	available until expended to pay for such costs: Provided
20	further, That such amounts are in addition to administra-
21	tive expenses that are also available for such purpose, and
22	are not subject to any obligation limitation or the limita-
23	tion on administrative expenses under section 608 of title
24	23, United States Code.



1	(LIQUIDATION OF CONTRACT AUTHORIZATION)
2	(HIGHWAY TRUST FUND)
3	For the payment of obligations incurred in carrying
4	out Federal-aid highway and highway safety construction
5	programs authorized under title 23, United States Code,
6	\$46,007,596,000 derived from the Highway Trust Fund
7	(other than the Mass Transit Account), to remain avail-
8	able until expended.
9	HIGHWAY INFRASTRUCTURE PROGRAMS
10	There is hereby appropriated to the Secretary of
11	Transportation \$3,250,000,000: Provided, That the
12	amounts made available under this heading shall be de-
13	rived from the general fund, shall be in addition to any
14	funds provided for fiscal year 2019 in this or any other
15	Act for "Federal-aid Highways" under chapter 1 of title
16	23, United States Code, and shall not affect the distribu-
17	tion or amount of funds provided in any other Act: Pro-
18	vided further, That section 1101(b) of Public Law 114–
19	94 shall apply to funds made available under this heading:
20	Provided further, That of the funds made available under
21	this heading, $$2,729,000,000$ shall be set aside for activi-
22	ties eligible under section 133(b)(1)(A) of title 23, United
23	States Code, and for the elimination of hazards and the
24	installation of protective devices at railway-highway cross-
25	ings. \$16,000,000 shall be set aside for activities eligible



1	under the Puerto Rico Highway Program as described in
2	section $165(b)(2)(C)$ of such title, $$5,000,000$ shall be set
3	aside for activities eligible under the Territorial Highway
4	Program, as described in section 165(c)(6) of such title,
5	\$25,000,000 shall be set aside for the nationally signifi-
6	cant Federal lands and tribal projects program under sec-
7	tion 1123 of the Fixing America's Surface Transportation
8	(FAST) Act (Public Law $114-94$), and $$475,000,000$
9	shall be set aside for a bridge replacement and rehabilita-
10	tion program for qualifying States: $Provided\ further,\ That$
11	for purposes of this heading, (1) the term "State" means
12	any of the 50 States or the District of Columbia and (2)
13	the term "qualifying State" means a State for which the
14	percentage of total deck area of bridges classified as in
15	poor condition in such State is at least 7.5 percent: $Pro-$
16	$vided\ further,\ {\it That}\ {\it the}\ {\it funds}\ {\it made}\ {\it available}\ {\it under}\ {\it this}$
17	heading for activities eligible under section $133(b)(1)(A)$
18	of title 23, United States Code, and for the elimination
19	of hazards and the installation of protective devices at rail-
20	way-highway crossings, shall be suballocated in the man-
21	ner described in section 133(d) of such title, except that
22	the set-aside described in section 133(h) of such title shall
23	not apply to funds made available under this heading: $Pro-$
24	$vided\ further,$ That the funds made available under this
25	heading for (1) activities eligible under section



1	133(b)(1)(A) of such title and for the elimination of haz-
2	ards and the installation of protective devices at railways-
3	highway crossings, and (2) a bridge replacement and reha-
4	bilitation program shall be administered as if apportioned
5	under chapter 1 of such title and shall remain available
6	through September 30, 2022: Provided further, That the
7	funds made available under this heading for activities eli-
8	gible under section $133(b)(1)(A)$ of title 23, United States
9	Code, and for the elimination of hazards and the installa-
10	tion of protective devices at railway-highway crossings,
11	shall be apportioned to the States in the same ratio as
12	the obligation limitation for fiscal year 2019 is distributed
13	among the States in section $120(a)(5)$ of this Act: $Pro-$
14	vided further, That, except as provided in the following
15	proviso, the funds made available under this heading for
16	activities eligible under the Puerto Rico Highway Program $$
17	and activities eligible under the Territorial Highway Pro-
18	gram shall be administered as if allocated under sections
19	165(b) and 165(c), respectively, of such title and shall re-
20	main available through September 30, 2022: Provided fur-
21	ther, That the funds made available under this heading
22	for activities eligible under the Puerto Rico Highway Pro-
23	gram shall not be subject to the requirements of sections
24	165(b)(2)(A) or $165(b)(2)(B)$ of such title: Provided fur-
25	ther, That the funds made available under this heading



1	for the nationally significant Federal lands and tribal
2	projects program under section 1123 of the FAST Act
3	shall remain available through September 30, 2022: Pro-
4	vided further, That the Secretary shall distribute funds
5	made available under this heading for a bridge replace-
6	ment and rehabilitation program to each qualifying State
7	by the proportion that the percentage of total deck area
8	of bridges classified as in poor condition in each qualifying
9	State bears to the sum of the percentages of total deck
10	area of bridges classified as in poor condition in all quali-
11	fying States: Provided further, That the funds made avail-
12	able under this heading for a bridge replacement and reha-
13	bilitation program shall be used for highway bridge re-
14	placement or rehabilitation projects on public roads: Pro-
15	vided further, That except as provided in the following pro-
16	viso the funds made available under this heading for a
17	bridge replacement and rehabilitation program shall be
18	used in areas of a qualifying State that have a population
19	of 200,000 or fewer individuals: Provided further, That if
20	a qualifying State has no bridges located in areas with
21	a population of 200,000 or fewer individuals, or if a quali-
22	fying State has insufficient bridge replacement or rehabili-
23	tation needs in areas of the State with a population of
24	200,000 or fewer individuals, the funds made available
25	under this heading for a bridge replacement and rehabili-



1	tation program may be used for highway bridge replace-
2	ment or rehabilitation projects on public roads in any area
3	of the State: Provided further, That for purposes of this
4	heading for a bridge replacement and rehabilitation pro-
5	gram, the Secretary shall (1) calculate population based
6	on the latest available data from the decennial census con-
7	ducted under section 141(a) of title 13, United States
8	Code, and (2) calculate the percentages of total deck area
9	of bridges classified as in poor condition based on the Na-
10	tional Bridge Inventory as of December 31, 2017.
11	ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY
12	ADMINISTRATION
13	Sec. 120. (a) For fiscal year 2019, the Secretary of
14	Transportation shall—
15	(1) not distribute from the obligation limitation
16	for Federal-aid highways—
17	(A) amounts authorized for administrative
18	expenses and programs by section 104(a) of
19	title 23, United States Code; and
20	(B) amounts authorized for the Bureau of
21	Transportation Statistics;
22	(2) not distribute an amount from the obliga-
23	tion limitation for Federal-aid highways that is equal
24	to the unobligated balance of amounts—



1	(A) made available from the Highway
2	Trust Fund (other than the Mass Transit Ac-
3	count) for Federal-aid highway and highway
4	safety construction programs for previous fiscal
5	years the funds for which are allocated by the
6	Secretary (or apportioned by the Secretary
7	under sections 202 or 204 of title 23, United
8	States Code); and
9	(B) for which obligation limitation was
10	provided in a previous fiscal year;
11	(3) determine the proportion that—
12	(A) the obligation limitation for Federal-
13	aid highways, less the aggregate of amounts not
14	distributed under paragraphs (1) and (2) of
15	this subsection; bears to
16	(B) the total of the sums authorized to be
17	appropriated for the Federal-aid highway and
18	highway safety construction programs (other
19	than sums authorized to be appropriated for
20	provisions of law described in paragraphs (1)
21	through (11) of subsection (b) and sums au-
22	thorized to be appropriated for section 119 of
23	title 23, United States Code, equal to the
24	amount referred to in subsection (b)(12) for
25	such fiscal year), less the aggregate of the



1	amounts not distributed under paragraphs (1)
2	and (2) of this subsection;
3	(4) distribute the obligation limitation for Fed-
4	eral-aid highways, less the aggregate amounts not
5	distributed under paragraphs (1) and (2), for each
6	of the programs (other than programs to which
7	paragraph (1) applies) that are allocated by the Sec-
8	retary under the Fixing America's Surface Trans-
9	portation Act and title 23, United States Code, or
10	apportioned by the Secretary under sections 202 or
11	204 of that title, by multiplying—
12	(A) the proportion determined under para-
13	graph (3); by
14	(B) the amounts authorized to be appro-
15	priated for each such program for such fiscal
16	year; and
17	(5) distribute the obligation limitation for Fed-
18	eral-aid highways, less the aggregate amounts not
19	distributed under paragraphs (1) and (2) and the
20	amounts distributed under paragraph (4), for Fed-
21	eral-aid highway and highway safety construction
22	programs that are apportioned by the Secretary
23	under title 23, United States Code (other than the
24	amounts apportioned for the National Highway Per-
25	formance Program in section 119 of title 23, United



1	States Code, that are exempt from the limitation
2	under subsection (b)(12) and the amounts appor-
3	tioned under sections 202 and 204 of that title) in
4	the proportion that—
5	(A) amounts authorized to be appropriated
6	for the programs that are apportioned under
7	title 23, United States Code, to each State for
8	such fiscal year; bears to
9	(B) the total of the amounts authorized to
10	be appropriated for the programs that are ap-
11	portioned under title 23, United States Code, to
12	all States for such fiscal year.
13	(b) Exceptions From Obligation Limitation.—
14	The obligation limitation for Federal-aid highways shall
15	not apply to obligations under or for—
16	(1) section 125 of title 23, United States Code
17	(2) section 147 of the Surface Transportation
18	Assistance Act of 1978 (23 U.S.C. 144 note; 92
19	Stat. 2714);
20	(3) section 9 of the Federal-Aid Highway Act
21	of 1981 (95 Stat. 1701);
22	(4) subsections (b) and (j) of section 131 of the
23	Surface Transportation Assistance Act of 1982 (96
24	Stat. 2119);



1	(5) subsections (b) and (c) of section 149 of the
2	Surface Transportation and Uniform Relocation As-
3	sistance Act of 1987 (101 Stat. 198);
4	(6) sections 1103 through 1108 of the Inter-
5	modal Surface Transportation Efficiency Act of
6	1991 (105 Stat. 2027);
7	(7) section 157 of title 23, United States Code
8	(as in effect on June 8, 1998);
9	(8) section 105 of title 23, United States Code
10	(as in effect for fiscal years 1998 through 2004, but
11	only in an amount equal to \$639,000,000 for each
12	of those fiscal years);
13	(9) Federal-aid highway programs for which ob-
14	ligation authority was made available under the
15	Transportation Equity Act for the 21st Century
16	(112 Stat. 107) or subsequent Acts for multiple
17	years or to remain available until expended, but only
18	to the extent that the obligation authority has not
19	lapsed or been used;
20	(10) section 105 of title 23, United States Code
21	(as in effect for fiscal years 2005 through 2012, but
22	only in an amount equal to \$639,000,000 for each
23	of those fiscal years);
24	(11) section 1603 of SAFETEA-LU (23
25	U.S.C. 118 note: 119 Stat. 1248), to the extent that



1	funds obligated in accordance with that section were
2	not subject to a limitation on obligations at the time
3	at which the funds were initially made available for
4	obligation; and
5	(12) section 119 of title 23, United States Code
6	(but, for each of fiscal years 2013 through 2019,
7	only in an amount equal to \$639,000,000).
8	(c) Redistribution of Unused Obligation Au-
9	THORITY.—Notwithstanding subsection (a), the Secretary
10	shall, after August 1 of such fiscal year—
11	(1) revise a distribution of the obligation limita-
12	tion made available under subsection (a) if ar
13	amount distributed cannot be obligated during that
14	fiscal year; and
15	(2) redistribute sufficient amounts to those
16	States able to obligate amounts in addition to those
17	previously distributed during that fiscal year, giving
18	priority to those States having large unobligated bal-
19	ances of funds apportioned under sections 144 (as in
20	effect on the day before the date of enactment of
21	Public Law 112-141) and 104 of title 23, United
22	States Code.
23	(d) Applicability of Obligation Limitations to
24	Transportation Research Programs.—



1	(1) In general.—Except as provided in para-
2	graph (2), the obligation limitation for Federal-aid
3	highways shall apply to contract authority for trans-
4	portation research programs carried out under—
5	(A) chapter 5 of title 23, United States
6	Code; and
7	(B) title VI of the Fixing America's Sur-
8	face Transportation Act.
9	(2) Exception.—Obligation authority made
10	available under paragraph (1) shall—
11	(A) remain available for a period of 4 fis-
12	cal years; and
13	(B) be in addition to the amount of any
14	limitation imposed on obligations for Federal-
15	aid highway and highway safety construction
16	programs for future fiscal years.
17	(e) Redistribution of Certain Authorized
18	Funds.—
19	(1) In general.—Not later than 30 days after
20	the date of distribution of obligation limitation
21	under subsection (a), the Secretary shall distribute
22	to the States any funds (excluding funds authorized
23	for the program under section 202 of title 23
24	United States Code) that—



1	(A) are authorized to be appropriated for
2	such fiscal year for Federal-aid highway pro-
3	grams; and
4	(B) the Secretary determines will not be
5	allocated to the States (or will not be appor-
6	tioned to the States under section 204 of title
7	23, United States Code), and will not be avail-
8	able for obligation, for such fiscal year because
9	of the imposition of any obligation limitation for
10	such fiscal year.
11	(2) Ratio.—Funds shall be distributed under
12	paragraph (1) in the same proportion as the dis-
13	tribution of obligation authority under subsection
14	(a)(5).
15	(3) AVAILABILITY.—Funds distributed to each
16	State under paragraph (1) shall be available for any
17	purpose described in section 133(b) of title 23,
18	United States Code.
19	Sec. 121. Notwithstanding 31 U.S.C. 3302, funds re-
20	ceived by the Bureau of Transportation Statistics from the
21	sale of data products, for necessary expenses incurred pur-
22	suant to chapter 63 of title 49, United States Code, may
23	be credited to the Federal-aid highways account for the
24	purpose of reimbursing the Bureau for such expenses:
25	Provided, That such funds shall be subject to the obliga-



- 1 tion limitation for Federal-aid highway and highway safety
- 2 construction programs.
- 3 Sec. 122. Not less than 15 days prior to waiving,
- 4 under his or her statutory authority, any Buy America re-
- 5 quirement for Federal-aid highways projects, the Sec-
- 6 retary of Transportation shall make an informal public no-
- 7 tice and comment opportunity on the intent to issue such
- 8 waiver and the reasons therefor: Provided, That the Sec-
- 9 retary shall provide an annual report to the House and
- 10 Senate Committees on Appropriations on any waivers
- 11 granted under the Buy America requirements.
- 12 Sec. 123. None of the funds provided in this Act to
- 13 the Department of Transportation may be used to provide
- 14 credit assistance unless not less than 3 days before any
- 15 application approval to provide credit assistance under
- 16 sections 603 and 604 of title 23, United States Code, the
- 17 Secretary of Transportation provides notification in writ-
- 18 ing to the following committees: the House and Senate
- 19 Committees on Appropriations; the Committee on Envi-
- 20 ronment and Public Works and the Committee on Bank-
- 21 ing, Housing and Urban Affairs of the Senate; and the
- 22 Committee on Transportation and Infrastructure of the
- 23 House of Representatives: Provided, That such notifica-
- 24 tion shall include, but not be limited to, the name of the
- 25 project sponsor; a description of the project; whether cred-



- 1 it assistance will be provided as a direct loan, loan guar-
- 2 antee, or line of credit; and the amount of credit assist-
- 3 ance.
- 4 Sec. 124. None of the funds in this Act may be used
- 5 to make a grant for a project under section 117 of title
- 6 23, United States Code, unless the Secretary, at least 60
- 7 days before making a grant under that section, provides
- 8 written notification to the House and Senate Committees
- 9 on Appropriations of the proposed grant, including an
- 10 evaluation and justification for the project and the amount
- 11 of the proposed grant award: Provided, That the written
- 12 notification required in the previous proviso shall be made
- 13 no later than 180 days after enactment of this Act.
- 14 Sec. 125. (a) A State or territory, as defined in sec-
- 15 tion 165 of title 23, United States Code, may use for any
- 16 project eligible under section 133(b) of title 23 or section
- 17 165 of title 23 and located within the boundary of the
- 18 State or territory any earmarked amount, and any associ-
- 19 ated obligation limitation: *Provided*, That the Department
- 20 of Transportation for the State or territory for which the
- 21 earmarked amount was originally designated or directed
- 22 notifies the Secretary of Transportation of its intent to
- 23 use its authority under this section and submits a quar-
- 24 terly report to the Secretary identifying the projects to
- 25 which the funding would be applied. Notwithstanding the



1	original period of availability of funds to be obligated								
2	under this section, such funds and associated obligation								
3	limitation shall remain available for obligation for a period								
4	of 3 fiscal years after the fiscal year in which the Sec-								
5	retary of Transportation is notified. The Federal share of								
6	the cost of a project carried out with funds made available								
7	under this section shall be the same as associated with								
8	the earmark.								
9	(b) In this section, the term "earmarked amount"								
10	means—								
11	(1) congressionally directed spending, as de-								
12	fined in rule XLIV of the Standing Rules of the								
13	Senate, identified in a prior law, report, or joint ex-								
14	planatory statement, which was authorized to be ap-								
15	propriated or appropriated more than 10 fiscal years								
16	prior to the current fiscal year, and administered by								
17	the Federal Highway Administration; or								
18	(2) a congressional earmark, as defined in rule								
19	XXI of the Rules of the House of Representatives								
20	identified in a prior law, report, or joint explanatory								
21	statement, which was authorized to be appropriated								
22	or appropriated more than 10 fiscal years prior to								
23	the current fiscal year, and administered by the Fed-								
24	eral Highway Administration.								



1	(c) The authority under subsection (a) may be exer-
2	cised only for those projects or activities that have obli-
3	gated less than 10 percent of the amount made available
4	for obligation as of October 1 of the current fiscal year,
5	and shall be applied to projects within the same general
6	geographic area within 50 miles for which the funding was
7	designated, except that a State or territory may apply
8	such authority to unexpended balances of funds from
9	projects or activities the State or territory certifies have
10	been closed and for which payments have been made under
11	a final voucher.
12	(d) The Secretary shall submit consolidated reports
13	of the information provided by the States and territories
14	each quarter to the House and Senate Committees on Ap-
15	propriations.
16	FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
17	MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS
18	(LIQUIDATION OF CONTRACT AUTHORIZATION)
19	(LIMITATION ON OBLIGATIONS)
20	(HIGHWAY TRUST FUND)
21	For payment of obligations incurred in the implemen-
22	tation, execution and administration of motor carrier safe-
23	ty operations and programs pursuant to section 31110 of
24	title 49, United States Code, as amended by the Fixing
25	America's Surface Transportation Act. \$284,000,000, to



1	be derived from the Highway Trust Fund (other than the
2	Mass Transit Account), together with advances and reim-
3	bursements received by the Federal Motor Carrier Safety
4	Administration, the sum of which shall remain available
5	until expended: Provided, That funds available for imple-
6	mentation, execution or administration of motor carrier
7	safety operations and programs authorized under title 49
8	United States Code, shall not exceed total obligations of
9	\$284,000,000 for "Motor Carrier Safety Operations and
10	Programs" for fiscal year 2019, of which \$9,073,000, to
11	remain available for obligation until September 30, 2021
12	is for the research and technology program, and of which
13	\$34,824,000, to remain available for obligation until Sep-
14	tember 30, 2021, is for information management.
15	MOTOR CARRIER SAFETY GRANTS
16	(LIQUIDATION OF CONTRACT AUTHORIZATION)
17	(LIMITATION ON OBLIGATIONS)
18	(HIGHWAY TRUST FUND)
19	(INCLUDING TRANSFER OF FUNDS)
20	For payment of obligations incurred in carrying out
21	sections 31102, 31103, 31104, and 31313 of title 49
22	United States Code, as amended by the Fixing America's
23	Surface Transportation Act, \$382,800,000, to be derived
24	from the Highway Trust Fund (other than the Mass Tran-
25	sit Account) and to remain available until expended: Pro-



1	vided.	That	funds	available	for	the	imp	lemen	tation	or	exe-

- 2 cution of motor carrier safety programs shall not exceed
- 3 total obligations of \$382,800,000 in fiscal year 2019 for
- 4 "Motor Carrier Safety Grants"; of which \$304,300,000
- 5 shall be available for the motor carrier safety assistance
- 6 program, \$32,500,000 shall be available for the commer-
- 7 cial driver's license program implementation program,
- 8 \$44,000,000 shall be available for the high priority activi-
- 9 ties program, and \$2,000,000 shall be made available for
- 10 commercial motor vehicle operators grants, of which
- 11 \$1,000,000 is to be made available from prior year unobli-
- 12 gated contract authority provided for Motor Carrier Safe-
- 13 ty grants in the Transportation Equity Act for the 21st
- 14 Century (Public Law 105-178), SAFETEA-LU (Public
- 15 Law 109–59), or other appropriations or authorization
- 16 acts.
- 17 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
- 18 CARRIER SAFETY ADMINISTRATION
- 19 Sec. 130. The Federal Motor Carrier Safety Admin-
- 20 istration shall send notice of 49 CFR section 385.308 vio-
- 21 lations by certified mail, registered mail, or another man-
- 22 ner of delivery, which records the receipt of the notice by
- 23 the persons responsible for the violations.
- Sec. 131. None of the funds appropriated or other-
- 25 wise made available to the Department of Transportation



- 1 by this Act or any other Act may be obligated or expended
- 2 to implement, administer, or enforce the requirements of
- 3 section 31137 of title 49, United States Code, or any regu-
- 4 lation issued by the Secretary pursuant to such section,
- 5 with respect to the use of electronic logging devices by op-
- 6 erators of commercial motor vehicles, as defined in section
- 7 31132(1) of such title, transporting livestock as defined
- 8 in section 602 of the Emergency Livestock Feed Assist-
- 9 ance Act of 1988 (7 U.S.C. 1471) or insects.
- 10 Sec. 132. None of the funds appropriated or other-
- 11 wise made available by this Act or any other Act may be
- 12 used to implement, enforce or in any other way make ef-
- 13 fective the final rule published by the Federal Motor Car-
- 14 rier Safety Administration on May 27, 2015, entitled
- 15 "Lease and Interchange of Vehicles; Motor Carriers of
- 16 Passengers".
- 17 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
- 18 OPERATIONS AND RESEARCH
- 19 For expenses necessary to discharge the functions of
- 20 the Secretary, with respect to traffic and highway safety
- 21 authorized under chapter 301 and part C of subtitle VI
- 22 of title 49, United States Code, \$190,000,000, of which
- 23 \$40,000,000 shall remain available through September
- 24 30, 2020.



1	OPERATIONS AND RESEARCH
2	(LIQUIDATION OF CONTRACT AUTHORIZATION)
3	(LIMITATION ON OBLIGATIONS)
4	(HIGHWAY TRUST FUND)
5	For payment of obligations incurred in carrying out
6	the provisions of 23 U.S.C. 403, section 4011 of the Fix-
7	ing America's Surface Transportation Act (Public Law
8	114-94), and chapter 303 of title 49, United States Code,
9	\$152,100,000, to be derived from the Highway Trust
10	Fund (other than the Mass Transit Account) and to re-
11	main available until expended: Provided, That none of the
12	funds in this Act shall be available for the planning or
13	execution of programs the total obligations for which, in
14	fiscal year 2019, are in excess of \$152,100,000, of which
15	\$146,700,000 shall be for programs authorized under 23
16	U.S.C. 403 and section 4011 of the Fixing America's Sur-
17	face Transportation Act (Public Law 114–94) and
18	\$5,400,000 shall be for the National Driver Register au-
19	thorized under chapter 303 of title 49, United States
20	Code: Provided further, That within the \$152,100,000 ob-
21	ligation limitation for operations and research,
22	\$20,000,000 shall remain available until September 30,
23	2020, and shall be in addition to the amount of any limita-
24	tion imposed on obligations for future years.



1	HIGHWAY TRAFFIC SAFETY GRANTS
2	(LIQUIDATION OF CONTRACT AUTHORIZATION)
3	(LIMITATION ON OBLIGATIONS)
4	(HIGHWAY TRUST FUND)
5	For payment of obligations incurred in carrying out
6	provisions of 23 U.S.C. 402, 404, and 405, and section
7	4001(a)(6) of the Fixing America's Surface Transpor-
8	tation Act, to remain available until expended
9	\$610,208,000, to be derived from the Highway Trust
10	Fund (other than the Mass Transit Account): Provided
11	That none of the funds in this Act shall be available for
12	the planning or execution of programs the total obligations
13	for which, in fiscal year 2019, are in excess of
14	\$610,208,000 for programs authorized under 23 U.S.C.
15	402, 404, and 405, and section 4001(a)(6) of the Fixing
16	America's Surface Transportation Act, of which
17	\$270,400,000 shall be for "Highway Safety Programs"
18	under 23 U.S.C. 402; \$283,000,000 shall be for "National
19	Priority Safety Programs" under 23 U.S.C. 405
20	\$30,200,000 shall be for the "High Visibility Enforcement
21	Program" under 23 U.S.C. 404; \$26,608,000 shall be for
22	"Administrative Expenses" under section 4001(a)(6) of
23	the Fixing America's Surface Transportation Act: Pro-
24	vided further, That none of these funds shall be used for
25	construction, rehabilitation, or remodeling costs, or for of-



- 1 fice furnishings and fixtures for State, local or private
- 2 buildings or structures: Provided further, That not to ex-
- 3 ceed \$500,000 of the funds made available for "National
- 4 Priority Safety Programs" under 23 U.S.C. 405 for "Im-
- 5 paired Driving Countermeasures" (as described in sub-
- 6 section (d) of that section) shall be available for technical
- 7 assistance to the States: Provided further, That with re-
- 8 spect to the "Transfers" provision under 23 U.S.C.
- 9 405(a)(8), any amounts transferred to increase the
- 10 amounts made available under section 402 shall include
- 11 the obligation authority for such amounts: Provided fur-
- 12 ther, That the Administrator shall notify the House and
- 13 Senate Committees on Appropriations of any exercise of
- 14 the authority granted under the previous proviso or under
- 15 23 U.S.C. 405(a)(8) within 5 days.
- 16 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY
- 17 TRAFFIC SAFETY ADMINISTRATION
- 18 Sec. 140. An additional \$130,000 shall be made
- 19 available to the National Highway Traffic Safety Adminis-
- 20 tration, out of the amount limited for section 402 of title
- 21 23, United States Code, to pay for travel and related ex-
- 22 penses for State management reviews and to pay for core
- 23 competency development training and related expenses for
- 24 highway safety staff.



- 1 Sec. 141. The limitations on obligations for the pro-
- 2 grams of the National Highway Traffic Safety Adminis-
- 3 tration set in this Act shall not apply to obligations for
- 4 which obligation authority was made available in previous
- 5 public laws but only to the extent that the obligation au-
- 6 thority has not lapsed or been used.
- 7 Sec. 142. None of the funds made available by this
- 8 Act may be used to mandate global positioning system
- 9 (GPS) tracking in private passenger motor vehicles with-
- 10 out providing full and appropriate consideration of privacy
- 11 concerns under 5 U.S.C. chapter 5, subchapter II.
- 12 Sec. 143. In addition to the amounts made available
- 13 under the heading, "Operations and Research (Liquida-
- 14 tion of Contract Authorization) (Limitation on Obliga-
- 15 tions) (Highway Trust Fund)" for carrying out the provi-
- 16 sions of section 403 of title 23, United States Code,
- 17 \$14,000,000, to remain available until September 30,
- 18 2020, shall be made available to the National Highway
- 19 Traffic Safety Administration from the general fund, of
- 20 which not to exceed \$7,000,000 shall be available to pro-
- 21 vide funding for grants, pilot program activities, and inno-
- 22 vative solutions to reduce impaired-driving fatalities in col-
- 23 laboration with eligible entities under section 403 of title
- 24 23, United States Code, and not to exceed \$7,000,000
- 25 shall be available to continue a high visibility enforcement



1	paid-media campaign regarding highway-rail grade cross-
2	ing safety in collaboration with the Federal Railroad Ad-
3	ministration.
4	FEDERAL RAILROAD ADMINISTRATION
5	SAFETY AND OPERATIONS
6	For necessary expenses of the Federal Railroad Ad-
7	ministration, not otherwise provided for, \$221,698,000, of
8	which \$18,000,000 shall remain available until expended
9	RAILROAD RESEARCH AND DEVELOPMENT
10	For necessary expenses for railroad research and de-
11	velopment, \$40,600,000, to remain available until ex-
12	pended.
13	RAILROAD REHABILITATION AND IMPROVEMENT
14	FINANCING PROGRAM
15	The Secretary of Transportation is authorized to
16	issue direct loans and loan guarantees pursuant to sec-
17	tions 501 through 504 of the Railroad Revitalization and
18	Regulatory Reform Act of 1976 (Public Law 94–210), as
19	amended, such authority shall exist as long as any such
20	direct loan or loan guarantee is outstanding.
21	FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD
22	REPAIR
23	For necessary expenses related to Federal-State
24	Partnership for State of Good Repair Grants as author-
25	ized by section 24911 of title 49, United States Code.



1 \$	3400,000,000,	to	remain	avaılable	until	expended:	Pro-
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- 2 vided, That the Secretary may withhold up to one percent
- 3 of the amount provided under this heading for the costs
- 4 of award and project management oversight of grants car-
- 5 ried out under section 24911 of title 49, United States
- 6 Code: Provided further, That the Secretary shall issue the
- 7 Notice of Funding Opportunity that encompasses funds
- 8 provided under this heading in this Act and previously
- 9 unawarded funds provided under this heading in fiscal
- 10 year 2017 by Public Law 115–31 and fiscal year 2018
- 11 by Public Law 115-141, no later than 30 days after enact-
- 12 ment of this Act: Provided further, That the Secretary
- 13 shall announce the selection of projects to receive awards
- 14 for the funds in the previous proviso no later than 180
- 15 days after enactment of this Act.
- 16 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
- 17 IMPROVEMENTS
- 18 For necessary expenses related to Consolidated Rail
- 19 Infrastructure and Safety Improvements Grants, as au-
- 20 thorized by section 24407 of title 49, United States Code,
- 21 \$255,000,000, to remain available until expended: Pro-
- 22 vided, That section 24405(f) of title 49, United States
- 23 Code, shall not apply to projects for the implementation
- 24 of positive train control systems otherwise eligible under
- 25 section 24407(c)(1) of title 49, United States Code: Pro-



1	vided further, That amounts available under this heading
2	for projects selected for commuter rail passenger transpor-
3	tation may be transferred by the Secretary, after selection
4	to the appropriate agencies to be administered in accord-
5	ance with chapter 53 of title 49, United States Code: Pro-
6	vided further, That the Secretary shall not limit eligible
7	projects from consideration for funding for planning, engi-
8	neering, environmental, construction, and design elements
9	of the same project in the same application: Provided fur-
10	ther, That unobligated balances remaining after 4 years
11	from the date of enactment may be used for any eligible
12	project under section 24407(c) of title 49, United States
13	Code: Provided further, That the Secretary may withhold
14	up to one percent of the amount provided under this head-
15	ing for the costs of award and project management over-
16	sight of grants carried out under section 24407 of title
17	49, United States Code: Provided further, That the Sec-
18	retary shall issue the Notice of Funding Opportunity that
19	encompasses previously unawarded funds provided under
20	this heading in fiscal year 2018 by Public Law 115–141
21	and funds provided under this heading in this Act no later
22	than 30 days after enactment of this Act: Provided further
23	That the Secretary shall announce the selection of projects
24	to receive awards for the funds in the previous proviso no
25	later than 120 days after enactment of this Act.



1	RESTORATION AND ENHANCEMENT
2	For necessary expenses related to Restoration and
3	Enhancement Grants, as authorized by section 24408 of
4	title 49, United States Code, \$5,000,000, to remain avail-
5	able until expended: Provided, That the Secretary may
6	withhold up to one percent of the funds provided under
7	this heading to fund the costs of award and project man-
8	agement and oversight: Provided further, That the Sec-
9	retary shall issue the Notice of Funding Opportunity for
10	funds provided under this heading no later than 30 days
11	after enactment of this Act: Provided further, That the
12	Secretary shall announce the selection of projects to re-
13	ceive awards for the funds in the previous proviso no later
14	than 120 days after enactment of this Act.
15	MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT
16	PROGRAM
17	For necessary expenses related to the deployment of
18	magnetic levitation transportation projects, consistent
19	with language in 1307(a) through (c) of Public Law 109-
20	59, as amended by section 102 of Public Law 110-244
21	(section 322 of title 23, United States Code),
22	\$10,000,000, to remain available until expended



1	NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
2	RAILROAD PASSENGER CORPORATION
3	To enable the Secretary of Transportation to make
4	grants to the National Railroad Passenger Corporation for
5	activities associated with the Northeast Corridor as au-
6	thorized by section 11101(a) of the Fixing America's Sur-
7	face Transportation Act (division A of Public Law 114-
8	94), \$650,000,000, to remain available until expended:
9	Provided, That the Secretary may retain up to one-half
10	of 1 percent of the funds provided under both this heading
11	and the "National Network Grants to the National Rail-
12	road Passenger Corporation" heading to fund the costs
13	of project management and oversight of activities author-
14	ized by section 11101(e) of division A of Public Law 114–
15	94: Provided further, That in addition to the project man-
16	agement oversight funds authorized under section
17	11101(c) of division A of Public Law 114-94, the Sec-
18	retary may retain up to an additional \$5,000,000 of the
19	funds provided under this heading to fund expenses associ-
20	ated with the Northeast Corridor Commission established
21	under section 24905 of title 49, United States Code: Pro-
22	vided further, That of the amounts made available under
23	this heading and the "National Network Grants to the Na-
24	tional Railroad Passenger Corporation" heading, not less
25	than \$50,000,000 shall be made available to bring Am-



1	trak-served facilities and stations into compliance with the
2	Americans with Disabilities Act.
3	NATIONAL NETWORK GRANTS TO THE NATIONAL
4	RAILROAD PASSENGER CORPORATION
5	To enable the Secretary of Transportation to make
6	grants to the National Railroad Passenger Corporation for
7	activities associated with the National Network as author-
8	ized by section 11101(b) of the Fixing America's Surface
9	Transportation Act (division A of Public Law 114-94),
10	\$1,291,600,000, to remain available until expended: Pro-
11	vided, That the Secretary may retain up to an additional
12	\$2,000,000 of the funds provided under this heading to
13	fund expenses associated with the State-Supported Route
14	Committee established under section 24712 of title 49,
15	United States Code: Provided further, That at least
16	\$50,000,000 of the amount provided under this heading
17	shall be available for the development, installation and op-
18	eration of railroad safety technology, including the imple-
19	mentation of a positive train control system, on State-sup-
20	ported routes as defined under section 24102(13) of title
21	49, United States Code, on which positive train control
22	systems are not required by law or regulation: Provided
23	further, That not less than \$50,000,000 of the amount
24	provided under this heading shall be for capital expenses
25	related to safety improvements, maintenance, and the non-



1	Federal match for discretionary Federal grant programs
2	to enable continued passenger rail operations on long-dis-
3	tance routes (as defined in section 24102 of title 49
4	United States Code) on which Amtrak is the sole operator
5	on a host railroad's line and a positive train control system
6	is not required by law or regulation: Provided further
7	That none of the funds provided under this heading shall
8	be used by Amtrak to give notice under subsection (a) or
9	(b) of section 24706 of title 49, United States Code, with
10	respect to long-distance routes (as defined in section
11	24102 of title 49, United States Code) on which Amtrak
12	is the sole operator on a host railroad's line and a positive
13	train control system is not required by law or regulation
14	or, except in an emergency or during maintenance or con-
15	struction outages impacting such routes, to otherwise dis-
16	continue, reduce the frequency of, suspend, or substan-
17	tially alter the route of rail service on any portion of such
18	route operated in fiscal year 2018, including implementa-
19	tion of service permitted by section 24305(a)(3)(A) of title
20	49, United States Code, in lieu of rail service.
21	ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD
22	ADMINISTRATION
23	Sec. 150. None of the funds provided to the National
24	Railroad Passenger Corporation may be used to fund any
25	overtime costs in excess of \$35,000 for any individual em-



1	ployee: Provided, That the President of Amtrak may waive
2	the cap set in the previous proviso for specific employees
3	when the President of Amtrak determines such a cap
4	poses a risk to the safety and operational efficiency of the
5	system: Provided further, That the President of Amtrak
6	shall report to the House and Senate Committees on Ap-
7	propriations within 60 days of enactment of this Act, a
8	summary of all overtime payments incurred by the Cor-
9	poration for 2018 and the three prior calendar years: $Pro-$
10	vided further, That such summary shall include the total
11	number of employees that received waivers and the total
12	overtime payments the Corporation paid to those employ-
13	ees receiving waivers for each month for 2018 and for the
14	three prior calendar years.
15	Sec. 151. It is the sense of Congress that—
16	(1) long-distance passenger rail routes provide
17	much-needed transportation access for 4,700,000
18	riders in 325 communities in 40 States and are par-
19	ticularly important in rural areas; and
20	(2) long-distance passenger rail routes and
21	services should be sustained to ensure connectivity
22	throughout the National Network (as defined in sec-
23	tion 24102 of title 49. United States Code).



1	FEDERAL TRANSIT ADMINISTRATION
2	ADMINISTRATIVE EXPENSES
3	For necessary administrative expenses of the Federal
4	Transit Administration's programs authorized by chapter
5	53 of title 49, United States Code, \$113,165,000, of which
6	up to \$1,000,000 shall be available to carry out the provi-
7	sions of section 5326 of such title: Provided, That none
8	of the funds provided or limited in this Act may be used
9	to create a permanent office of transit security under this
10	heading: Provided further, That upon submission to the
11	Congress of the fiscal year 2020 President's budget, the
12	Secretary of Transportation shall transmit to Congress
13	the annual report on New Starts, including proposed allo-
14	cations for fiscal year 2020.
15	TRANSIT FORMULA GRANTS
16	(LIQUIDATION OF CONTRACT AUTHORIZATION)
17	(LIMITATION ON OBLIGATIONS)
18	(HIGHWAY TRUST FUND)
19	For payment of obligations incurred in the Federal
20	Public Transportation Assistance Program in this ac-
21	count, and for payment of obligations incurred in carrying
22	out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
23	5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
24	5340, as amended by the Fixing America's Surface Trans-
25	portation Act. section 20005(b) of Public Law 112–141.



- 1 and section 3006(b) of the Fixing America's Surface
- 2 Transportation Act, \$9,900,000,000, to be derived from
- 3 the Mass Transit Account of the Highway Trust Fund
- 4 and to remain available until expended: Provided, That
- 5 funds available for the implementation or execution of pro-
- 6 grams authorized under 49 U.S.C. 5305, 5307, 5310,
- 7 5311, 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339,
- 8 and 5340, as amended by the Fixing America's Surface
- 9 Transportation Act, section 20005(b) of Public Law 112–
- 10 141, and section 3006(b) of the Fixing America's Surface
- 11 Transportation Act, shall not exceed total obligations of
- 12 \$9,939,380,030 in fiscal year 2019: *Provided further*, That
- 13 the Federal share of the cost of activities carried out under
- 14 49 U.S.C. section 5312 shall not exceed 80 percent, except
- 15 that if there is substantial public interest or benefit, the
- 16 Secretary may approve a greater Federal share.
- 17 Transit infrastructure grants
- 18 For an additional amount for buses and bus facilities
- 19 grants under section 5339 of title 49, United States Code,
- 20 state of good repair grants under section 5337 of such
- 21 title, formula grants for rural areas under section 5311
- 22 of such title, high density state apportionments under sec-
- 23 tion 5340(d) of such title, and the bus testing facilities
- 24 under sections 5312 and 5318 of such title, \$700,000,000
- 25 to remain available until expended: Provided, That



1	\$350,000,000 shall be available for grants as authorized
2	under section 5339 of such title, of which \$160,000,000
3	shall be available for the buses and bus facilities formula
4	grants as authorized under section 5339(a) of such title
5	\$160,000,000 shall be available for the buses and bus fa-
6	cilities competitive grants as authorized under section
7	5339(b) of such title, and \$30,000,000 shall be available
8	for the low or no emission grants as authorized under sec
9	tion 5339(c) of such title: Provided further, That
10	\$263,000,000 shall be available for the state of good re-
11	pair grants as authorized under section 5337 of such title
12	Provided further, That \$40,000,000 shall be available for
13	formula grants for rural areas as authorized under section
14	5311 of such title: Provided further, That \$40,000,000
15	shall be available for the high density state apportion
16	ments as authorized under section 5340(d) of such title
17	Provided further, That \$1,000,000 shall be available for
18	the bus testing facility as authorized under section 5318
19	of such title: Provided further, That notwithstanding sec-
20	tion 5318(a) of such title, \$6,000,000 shall be available
21	for the operation and maintenance of bus testing facilities
22	by institutions of higher education selected pursuant to
23	section 5312(h) of such title: Provided further, That the
24	Secretary shall enter into a contract or cooperative agree
25	ment with or make a grant to each institution of higher



1 education selected pursuant to section 5312(h) of such

2	title, to operate and maintain a facility to conduct the test-
3	ing of low or no emission vehicle new bus models using
4	the standards established pursuant to section 5318(e)(2)
5	of such title: Provided further, That the term "low or no
6	emission vehicle" has the meaning given the term in sec-
7	tion 5312(e)(6) of such title: Provided further, That the
8	Secretary shall pay 80 percent of the cost of testing a low
9	or no emission vehicle new bus model at each selected in-
10	stitution of higher education: Provided further, That the
11	entity having the vehicle tested shall pay 20 percent of
12	the cost of testing: Provided further, That a low or no
13	emission vehicle new bus model tested that receives a pass-
14	ing aggregate test score in accordance with the standards
15	established under section 5318(e)(2) of such title, shall be
16	deemed to be in compliance with the requirements of sec-
17	tion 5318(a) of such title. Provided further That amounts

- 17 tion 5318(e) of such title: *Provided further*, That amounts
- 18 made available by this heading shall be derived from the
- 19 general fund: Provided further, That the amounts made
- 20 available under this heading shall not be subject to any
- 21 limitation on obligations for transit programs set forth in
- 22 any Act.
- 23 TECHNICAL ASSISTANCE AND TRAINING
- 24 For necessary expenses to carry out 49 U.S.C. 5314,
- 25 \$5,000,000, of which not less than \$1,500,000 shall be



- 1 for a cooperative agreement through which the Federal
- 2 Transit Administration assists small-urban, rural and
- 3 tribal public transit recipients and planning organizations
- 4 with applied innovation and capacity-building: Provided,
- 5 That the assistance provided under this heading not dupli-
- 6 cate the activities of 49 U.S.C. 5311(b) or 49 U.S.C.
- 7 5312.
- 8 CAPITAL INVESTMENT GRANTS
- 9 For necessary expenses to carry out fixed guideway
- 10 capital investment grants under section 5309 of title 49,
- 11 United States Code, and section 3005(b) of the Fixing
- 12 America's Surface Transportation Act, \$2,552,687,000, to
- 13 remain available until September 30, 2022: Provided,
- 14 That of the amounts made available under this heading,
- 15 \$2,169,783,950 shall be obligated by December 31, 2020:
- 16 Provided further, That of the amounts made available
- 17 under this heading, \$1,265,670,000 shall be available for
- 18 projects authorized under section 5309(d) of title 49,
- 19 United States Code, \$635,000,000 shall be available for
- 20 projects authorized under section 5309(e) of title 49,
- 21 United States Code, \$526,500,000 shall be available for
- 22 projects authorized under section 5309(h) of title 49,
- 23 United States Code, and \$100,000,000 shall be available
- 24 for projects authorized under section 3005(b) of the Fix-
- 25 ing America's Surface Transportation Act: Provided fur-



1	ther, That the Secretary shall continue to administer the
2	capital investment grants program in accordance with the
3	procedural and substantive requirements of section 5309
4	of title 49, United States Code, and of section 3005(b)
5	of the Fixing America's Surface Transportation Act.
6	GRANTS TO THE WASHINGTON METROPOLITAN AREA
7	TRANSIT AUTHORITY
8	For grants to the Washington Metropolitan Area
9	Transit Authority as authorized under section 601 of divi-
10	sion B of Public Law 110–432, \$150,000,000, to remain
11	available until expended: Provided, That the Secretary of
12	Transportation shall approve grants for capital and pre-
13	ventive maintenance expenditures for the Washington
14	Metropolitan Area Transit Authority only after receiving
15	and reviewing a request for each specific project: Provided
16	further, That prior to approving such grants, the Secretary
17	shall certify that the Washington Metropolitan Area Tran-
18	sit Authority is making progress to improve its safety
19	management system in response to the Federal Transit
20	Administration's 2015 safety management inspection:
21	Provided further, That the Secretary shall determine that
22	the Washington Metropolitan Area Transit Authority has
23	placed the highest priority on those investments that will
24	improve the safety of the system before approving such



25 grants: Provided further, That the Secretary, in order to

1	ensure safety throughout the rail system, may waive the
2	requirements of section 601(e)(1) of division B of Public
3	Law 110–432.
4	ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT
5	ADMINISTRATION
6	(INCLUDING RESCISSION)
7	Sec. 160. The limitations on obligations for the pro-
8	grams of the Federal Transit Administration shall not
9	apply to any authority under 49 U.S.C. 5338, previously
10	made available for obligation, or to any other authority
11	previously made available for obligation.
12	Sec. 161. Notwithstanding any other provision of
13	law, funds appropriated or limited by this Act under the
14	heading "Fixed Guideway Capital Investment" of the Fed-
15	eral Transit Administration for projects specified in this
16	Act or identified in reports accompanying this Act not ob-
17	ligated by September 30, 2022, and other recoveries, shall
18	be directed to projects eligible to use the funds for the
19	purposes for which they were originally provided.
20	SEC. 162. Notwithstanding any other provision of
21	law, any funds appropriated before October 1, 2018, under
22	any section of chapter 53 of title 49, United States Code
23	that remain available for expenditure, may be transferred
24	to and administered under the most recent appropriation
25	heading for any such section



1	Sec. 163. (a) Except as provided in subsection (b)
2	none of the funds in this or any other Act may be available
3	to advance in any way a new light or heavy rail project
4	towards a full funding grant agreement as defined by 49
5	U.S.C. 5309 for the Metropolitan Transit Authority of
6	Harris County, Texas if the proposed capital project is
7	constructed on or planned to be constructed on Richmond
8	Avenue west of South Shepherd Drive or on Post Oak
9	Boulevard north of Richmond Avenue in Houston, Texas
10	(b) The Metropolitan Transit Authority of Harris
11	County, Texas, may attempt to construct or construct a
12	new fixed guideway capital project, including light rail, in
13	the locations referred to in subsection (a) if—
14	(1) voters in the jurisdiction that includes such
15	locations approve a ballot proposition that specifies
16	routes on Richmond Avenue west of South Shepherd
17	Drive or on Post Oak Boulevard north of Richmond
18	Avenue in Houston, Texas; and
19	(2) the proposed construction of such routes is
20	part of a comprehensive, multi-modal, service-area
21	wide transportation plan that includes multiple addi-
22	tional segments of fixed guideway capital projects.
23	including light rail for the jurisdiction set forth in
24	the ballot proposition. The ballot language shall in-
25	clude reasonable cost estimates, sources of revenue



1	to be used and the total amount of bonded indebted-
2	ness to be incurred as well as a description of each
3	route and the beginning and end point of each pro-
4	posed transit project.
5	Sec. 164. Notwithstanding any other provision of
6	law, none of the funds made available in this Act shall
7	be used to enter into a full funding grant agreement for
8	a project with a New Starts share greater than 51 percent
9	Sec. 165. Of the unobligated amounts made available
10	for fiscal years 2005 or prior fiscal years to "Transit For-
11	mula Grants", a total of \$46,560,000 is hereby perma-
12	nently rescinded.
13	Sec. 166. None of the funds made available under
14	this Act may be used for the implementation or further-
15	ance of new policies detailed in the "Dear Colleague" let-
16	ter distributed by the Federal Transit Administration to
17	capital investment grant program project sponsors on
18	June 29, 2018.
19	SAINT LAWRENCE SEAWAY DEVELOPMENT
20	Corporation
21	The Saint Lawrence Seaway Development Corpora-
22	tion is hereby authorized to make such expenditures, with-
23	in the limits of funds and borrowing authority available
24	to the Corporation, and in accord with law, and to make
25	such contracts and commitments without regard to fiscal



1	year limitations, as provided by section 104 of the Govern-
2	ment Corporation Control Act, as amended, as may be
3	necessary in carrying out the programs set forth in the
4	Corporation's budget for the current fiscal year.
5	OPERATIONS AND MAINTENANCE
6	(HARBOR MAINTENANCE TRUST FUND)
7	For necessary expenses to conduct the operations,
8	maintenance, and capital asset renewal activities on those
9	portions of the Saint Lawrence Seaway owned, operated,
10	and maintained by the Saint Lawrence Seaway Develop-
11	ment Corporation, \$36,000,000, to be derived from the
12	Harbor Maintenance Trust Fund, pursuant to Public Law
13	99-662: Provided, That of the amounts made available
14	under this heading, not less than \$16,000,000 shall be
15	used on capital asset renewal activities.
16	MARITIME ADMINISTRATION
17	MARITIME SECURITY PROGRAM
18	For necessary expenses to maintain and preserve a
19	U.Sflag merchant fleet to serve the national security
20	needs of the United States, \$300,000,000, to remain avail-
21	able until expended.
22	OPERATIONS AND TRAINING
23	(INCLUDING TRANSFER OF FUNDS)
24	For necessary expenses of operations and training ac-
25	tivities authorized by law. \$149,442,000, of which



1	\$70,593,000	shall	remain	available	until	September	30,

- 2 2020 for the operations of the United States Merchant
- 3 Marine Academy, and of which \$18,000,000 shall remain
- 4 available until expended for the maintenance and repair,
- 5 equipment, and capital improvements at the United States
- 6 Merchant Marine Academy: Provided, That not later than
- 7 January 12, 2019, the Administrator of the Maritime Ad-
- 8 ministration shall transmit to the House and Senate Com-
- 9 mittees on Appropriations the annual report on sexual as-
- 10 sault and sexual harassment at the United States Mer-
- 11 chant Marine Academy as required pursuant to section
- 12 3507 of Public Law 110-417: Provided further, That of
- 13 the amounts made available under this heading,
- 14 \$3,000,000 shall remain available until September 30,
- 15 2020 for the Maritime Environment and Technology As-
- 16 sistance program authorized under section 50307 of title
- 17 46, United States Code: Provided further, That of the
- 18 amounts made available under this heading, \$7,000,000,
- 19 shall remain available until expended for the Short Sea
- 20 Transportation Program (America's Marine Highways) to
- 21 make grants for the purposes authorized under sections
- 22 55601(b)(1) and (3) of title 46, United States Code: *Pro-*
- 23 vided further, That available balances under this heading
- 24 for the Short Sea Transportation Program (America's
- 25 Marine Highways) from prior year recoveries shall be



- 1 available to carry out activities authorized under sections
- 2 55601(b)(1) and (3) of title 46, United States Code: Pro-
- 3 vided further, That from funds provided under the pre-
- 4 vious two provisos, the Secretary of Transportation shall
- 5 make grants no later than 180 days after enactment of
- 6 this Act in such amounts as the Secretary determines:
- 7 Provided further, That any unobligated balances available
- 8 from previous appropriations for programs and activities
- 9 supporting State Maritime Academies shall be transferred
- 10 to and merged with the appropriations for "Maritime Ad-
- 11 ministration, State Maritime Academy Operations" and
- 12 shall be made available for the same purposes.
- 13 STATE MARITIME ACADEMY OPERATIONS
- 14 For necessary expenses of operations, support and
- 15 training activities for State Maritime Academies,
- 16 \$345,200,000, of which \$25,000,000, to remain available
- 17 until expended, shall be for maintenance, repair, life exten-
- 18 sion, and capacity improvement of National Defense Re-
- 19 serve Fleet training ships in support of State Maritime
- 20 Academies, of which \$8,000,000, to remain available until
- 21 expended, shall be for expenses related to training mari-
- 22 ners for costs associated with training vessel sharing pur-
- 23 suant to 46 U.S.C. 51504(g)(3) for costs associated with
- 24 mobilizing, operating and demobilizing the vessel, includ-
- 25 ing travel costs for students, faculty and crew, the costs



- 1 of the general agent, crew costs, fuel, insurance, oper-
- 2 ational fees, and vessel hire costs, as determined by the
- 3 Secretary, of which \$300,000,000, to remain available
- 4 until expended, shall be for the National Security Multi-
- 5 Mission Vessel Program, including funds for construction,
- 6 planning, administration, and design of school ships, of
- 7 which \$2,400,000 shall remain available through Sep-
- 8 tember 30, 2020, for the Student Incentive Program, of
- 9 which \$3,800,000 shall remain available until expended
- 10 for training ship fuel assistance, and of which \$6,000,000
- 11 shall remain available until September 30, 2020, for direct
- 12 payments for State Maritime Academies.
- 13 ASSISTANCE TO SMALL SHIPYARDS
- 14 To make grants to qualified shipyards as authorized
- 15 under section 54101 of title 46, United States Code, as
- 16 amended by Public Law 113-281, \$20,000,000, to remain
- 17 available until expended.
- 18 SHIP DISPOSAL
- 19 For necessary expenses related to the disposal of ob-
- 20 solete vessels in the National Defense Reserve Fleet of the
- 21 Maritime Administration, \$5,000,000, to remain available
- 22 until expended.



1	MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM
2	ACCOUNT
3	(INCLUDING TRANSFER OF FUNDS)
4	For administrative expenses to carry out the guaran-
5	teed loan program, \$3,000,000, which shall be transferred
6	to and merged with the appropriations for "Operations
7	and Training", Maritime Administration.
8	PORT INFRASTRUCTURE DEVELOPMENT PROGRAM
9	To make grants to improve port facilities as author-
10	ized under section 50302 of title 46, United States Code,
11	\$200,000,000 to remain available until expended: Pro-
12	vided, That projects eligible for funding provided under
13	this heading shall be projects for coastal seaports: $Pro-$
14	vided further, That in addition, \$92,730,000, to remain
15	available until expended, shall be for grants to the 15
16	coastal seaports that handled the greatest number of load-
17	ed foreign and domestic twenty-foot equivalent units of
18	containerized cargo in 2016, as identified by the U.S.
19	Army Corps of Engineers: $Provided\ further,$ That the Mar-
20	itime Administration shall distribute funds provided under
21	this heading as discretionary grants to port authorities or
22	commissions or their subdivisions and agents under exist-
23	ing authority, as well as to a State or political subdivision
24	of a State or local government, a tribal government, a pub-
25	lic agency or publicly chartered authority established by



1	one or more States, a special purpose district with a trans-
2	portation function, a multistate or multijurisdictional
3	group of entities, or a lead entity described above jointly
4	with a private entity or group of private entities: Provided
5	further, That projects eligible for funding provided under
6	this heading shall be either within the boundary of a port,
7	or outside the boundary of a port, and directly related to
8	port operations or to an intermodal connection to a port
9	that will improve the safety, efficiency, or reliability of the
10	movement of goods into, out of, around, or within a port,
11	as well as the unloading and loading of cargo at a port:
12	Provided further, That in awarding grants from funds
13	made available by the second proviso under this heading
14	for the 15 coastal seaports referred to, the Maritime Ad-
15	ministration shall give priority consideration for proposed
16	projects that construct treatment facilities defined in sec-
17	tion 305.1 of title 7, Code of Federal Regulations, to meet
18	the phytosanitary treatment requirements of sections
19	305.5 through 305.8 of title 7, Code of Federal Regula-
20	tions: Provided further, That the Federal share of the
21	costs for which an expenditure is made under this heading
22	shall be up to 80 percent: Provided further, That not to
23	exceed 2 percent of the funds appropriated under this
24	heading shall be available for necessary costs of grant ad-
25	ministration: Provided further. That the proceeds of Fed-



1	eral credit assistance under chapter 6 of title 23, United
2	States Code or sections 501 through 504 of the Railroad
3	and Revitalization and Regulatory Reform Act of 1976
4	(Public Law 94–210), as amended, shall be considered to
5	be part of the non-Federal share of project costs if the
6	loan is repayable from non-Federal funds, unless otherwise
7	requested by the project sponsor.
8	ADMINISTRATIVE PROVISIONS—MARITIME
9	ADMINISTRATION
10	Sec. 170. Notwithstanding any other provision of
11	this Act, in addition to any existing authority, the Mari-
12	time Administration is authorized to furnish utilities and
13	services and make necessary repairs in connection with
14	any lease, contract, or occupancy involving Government
15	property under control of the Maritime Administration:
16	Provided, That payments received therefor shall be cred-
17	ited to the appropriation charged with the cost thereof and
18	shall remain available until expended: Provided further,
19	That rental payments under any such lease, contract, or
20	occupancy for items other than such utilities, services, or
21	repairs shall be covered into the Treasury as miscellaneous



22 receipts.

1	PIPELINE AND HAZARDOUS MATERIALS SAFETY
2	Administration
3	OPERATIONAL EXPENSES
4	For necessary operational expenses of the Pipeline
5	and Hazardous Materials Safety Administration,
6	\$23,710,000: Provided, That the Secretary of Transpor-
7	tation shall issue a final rule to expand the applicability
8	of comprehensive oil spill response plans within 90 days
9	of enactment of this Act: Provided further, That the
10	amounts appropriated under this heading shall be reduced
11	by \$10,000 per day for each day that such rule has not
12	been issued following the expiration of the period set forth
12	to A
13	in the previous proviso.
13	HAZARDOUS MATERIALS SAFETY
	•
14	HAZARDOUS MATERIALS SAFETY
14 15	HAZARDOUS MATERIALS SAFETY For expenses necessary to discharge the hazardous
14 15 16 17	HAZARDOUS MATERIALS SAFETY For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous
14 15 16	HAZARDOUS MATERIALS SAFETY For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$58,000,000, of which
14 15 16 17	HAZARDOUS MATERIALS SAFETY For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$58,000,000, of which \$7,570,000 shall remain available until September 30,
114 115 116 117 118	HAZARDOUS MATERIALS SAFETY For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$58,000,000, of which \$7,570,000 shall remain available until September 30, 2021: <i>Provided</i> , That up to \$800,000 in fees collected
114 115 116 117 118 119 220 221	HAZARDOUS MATERIALS SAFETY For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$58,000,000, of which \$7,570,000 shall remain available until September 30, 2021: <i>Provided</i> , That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general
114 115 116 117 118 119 220 221	HAZARDOUS MATERIALS SAFETY For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$58,000,000, of which \$7,570,000 shall remain available until September 30, 2021: <i>Provided</i> , That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: <i>Provided fur-</i>
114 115 116 117 118 119 220 221 222 23	For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$58,000,000, of which \$7,570,000 shall remain available until September 30, 2021: <i>Provided</i> , That up to \$800,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: <i>Provided further</i> , That there may be credited to this appropriation, to



1	publication and dissemination, and for travel expenses in-
2	curred in performance of hazardous materials exemptions
3	and approvals functions.
4	PIPELINE SAFETY
5	(PIPELINE SAFETY FUND)
6	(OIL SPILL LIABILITY TRUST FUND)
7	For expenses necessary to carry out a pipeline safety
8	program, as authorized by 49 U.S.C. 60107, and to dis-
9	charge the pipeline program responsibilities of the Oil Pol-
10	lution Act of 1990, \$165,000,000, to remain available
11	until September 30, 2021, of which \$23,000,000 shall be
12	derived from the Oil Spill Liability Trust Fund; of which
13	\$134,000,000 shall be derived from the Pipeline Safety
14	Fund; and of which \$8,000,000 shall be derived from fees
15	collected under 49 U.S.C. 60302 and deposited in the Un-
16	derground Natural Gas Storage Facility Safety Account
17	for the purpose of carrying out 49 U.S.C. 60141: Pro-
18	vided, That not less than \$1,058,000 of the funds pro-
19	vided under this heading shall be for the One-Call State
20	grant program.
21	EMERGENCY PREPAREDNESS GRANTS
22	(EMERGENCY PREPAREDNESS FUND)
23	For expenses necessary to carry out the Emergency
24	Preparedness Grants program, not more than
25	\$28.318.000 shall remain available until September 30.



1	2021, from amounts made available by 49 U.S.C. 5116(h),
2	and 5128(b) and (c): Provided, That notwithstanding 49
3	U.S.C. 5116(h)(4), not more than 4 percent of the
4	amounts made available from this account shall be avail-
5	able to pay administrative costs: Provided further, That
6	notwithstanding 49 U.S.C. 5128(b) and (c) and the cur-
7	rent year obligation limitation, prior year recoveries recog-
8	nized in the current year shall be available to develop a
9	hazardous materials response training curriculum for
10	emergency responders, including response activities for the
11	transportation of crude oil, ethanol and other flammable
12	liquids by rail, consistent with National Fire Protection
13	Association standards, and to make such training avail-
14	able through an electronic format: Provided further, That
15	the prior year recoveries made available under this head-
16	ing shall also be available to carry out 49 U.S.C.
17	5116(a)(1)(C) and 5116(i).
18	OFFICE OF INSPECTOR GENERAL
19	SALARIES AND EXPENSES
20	For necessary expenses of the Office of the Inspector
21	General to carry out the provisions of the Inspector Gen-
22	eral Act of 1978, as amended, \$92,600,000: Provided,
23	That the Inspector General shall have all necessary au-



24 thority, in carrying out the duties specified in the Inspec-

25 tor General Act, as amended (5 U.S.C. App. 3), to inves-

- 1 tigate allegations of fraud, including false statements to
- 2 the government (18 U.S.C. 1001), by any person or entity
- 3 that is subject to regulation by the Department of Trans-
- 4 portation: Provided further, That the funds made available
- 5 under this heading may be used to investigate, pursuant
- 6 to section 41712 of title 49, United States Code: (1) un-
- 7 fair or deceptive practices and unfair methods of competi-
- 8 tion by domestic and foreign air carriers and ticket agents;
- 9 and (2) the compliance of domestic and foreign air carriers
- 10 with respect to item (1) of this proviso.
- 11 General Provisions—Department of
- 12 Transportation
- 13 Sec. 180. (a) During the current fiscal year, applica-
- 14 ble appropriations to the Department of Transportation
- 15 shall be available for maintenance and operation of air-
- 16 craft; hire of passenger motor vehicles and aircraft; pur-
- 17 chase of liability insurance for motor vehicles operating
- 18 in foreign countries on official department business; and
- 19 uniforms or allowances therefor, as authorized by law (5
- 20 U.S.C. 5901–5902).
- 21 (b) During the current fiscal year, applicable appro-
- 22 priations to the Department and its operating administra-
- 23 tions shall be available for the purchase, maintenance, op-
- 24 eration, and deployment of unmanned aircraft systems



- 1 that advance the Department's, or its operating adminis-
- 2 trations', missions.
- 3 (c) Any unmanned aircraft system purchased or pro-
- 4 cured by the Department prior to the enactment of this
- 5 Act shall be deemed authorized.
- 6 Sec. 181. Appropriations contained in this Act for
- 7 the Department of Transportation shall be available for
- 8 services as authorized by 5 U.S.C. 3109, but at rates for
- 9 individuals not to exceed the per diem rate equivalent to
- 10 the rate for an Executive Level IV.
- 11 Sec. 182. (a) No recipient of funds made available
- 12 in this Act shall disseminate personal information (as de-
- 13 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
- 14 ment of motor vehicles in connection with a motor vehicle
- 15 record as defined in 18 U.S.C. 2725(1), except as provided
- 16 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
- 17 2721.
- 18 (b) Notwithstanding subsection (a), the Secretary
- 19 shall not withhold funds provided in this Act for any
- 20 grantee if a State is in noncompliance with this provision.
- 21 Sec. 183. None of the funds in this Act shall be avail-
- 22 able for salaries and expenses of more than 125 political
- 23 and Presidential appointees in the Department of Trans-
- 24 portation: Provided, That none of the personnel covered



- 1 by this provision may be assigned on temporary detail out-
- 2 side the Department of Transportation.
- 3 Sec. 184. Funds received by the Federal Highway
- 4 Administration and Federal Railroad Administration from
- 5 States, counties, municipalities, other public authorities,
- 6 and private sources for expenses incurred for training may
- 7 be credited respectively to the Federal Highway Adminis-
- 8 tration's "Federal-Aid Highways" account and to the Fed-
- 9 eral Railroad Administration's "Safety and Operations"
- 10 account, except for State rail safety inspectors partici-
- 11 pating in training pursuant to 49 U.S.C. 20105.
- 12 Sec. 185. (a) None of the funds provided in this Act
- 13 to the Department of Transportation may be used to make
- 14 a loan, loan guarantee, line of credit, or discretionary
- 15 grant unless the Secretary of Transportation notifies the
- 16 House and Senate Committees on Appropriations not less
- 17 than 3 full business days before any project competitively
- 18 selected to receive any discretionary grant award, letter
- 19 of intent, loan commitment, loan guarantee commitment,
- 20 line of credit commitment, or full funding grant agreement
- 21 is announced by the Department or its modal administra-
- 22 tions: Provided, That the Secretary gives concurrent noti-
- 23 fication to the House and Senate Committees on Appro-
- 24 priations for any "quick release" of funds from the emer-
- 25 gency relief program: Provided further, That no notifica-



- 1 tion shall involve funds that are not available for obliga-
- 2 tion.
- 3 (b) In addition to the notification required in sub-
- 4 section (a), none of the funds made available in this Act
- 5 to the Department of Transportation may be used to make
- 6 a loan, loan guarantee, line of credit, cooperative agree-
- 7 ment or discretionary grant unless the Secretary of Trans-
- 8 portation provides the House and Senate Committees on
- 9 Appropriations a comprehensive list of all such loans, loan
- 10 guarantees, lines of credit, cooperative agreement or dis-
- 11 cretionary grants that will be announced not less the 3
- 12 full business days before such announcement: Provided,
- 13 That the requirement to provide a list in this subsection
- 14 does not apply to any "quick release" of funds from the
- 15 emergency relief program: Provided further, That no list
- 16 shall involve funds that are not available for obligation.
- 17 Sec. 186. Rebates, refunds, incentive payments,
- 18 minor fees and other funds received by the Department
- 19 of Transportation from travel management centers,
- 20 charge card programs, the subleasing of building space,
- 21 and miscellaneous sources are to be credited to appropria-
- 22 tions of the Department of Transportation and allocated
- 23 to elements of the Department of Transportation using
- 24 fair and equitable criteria and such funds shall be avail-
- 25 able until expended.



1	SEC. 187. Amounts made available in this or any
2	prior Act that the Secretary determines represent im-
3	proper payments by the Department of Transportation to
4	a third-party contractor under a financial assistance
5	award, which are recovered pursuant to law, shall be avail-
6	able—
7	(1) to reimburse the actual expenses incurred
8	by the Department of Transportation in recovering
9	improper payments: Provided, That amounts made
10	available in this Act shall be available until ex-
11	pended; and
12	(2) to pay contractors for services provided in
13	recovering improper payments or contractor support
14	in the implementation of the Improper Payments In-
15	formation Act of 2002, as amended by the Improper
16	Payments Elimination and Recovery Act of 2010
17	and Improper Payments Elimination and Recovery
18	Improvement Act of 2012, and Fraud Reduction and
19	Data Analytics Act of 2015: Provided, That amounts
20	in excess of that required for paragraphs (1) and
21	(2)—
22	(A) shall be credited to and merged with
23	the appropriation from which the improper pay-
24	ments were made, and shall be available for the
25	purposes and period for which such appropria-



1	tions are available: Provided further, That
2	where specific project or accounting information
3	associated with the improper payment or pay-
4	ments is not readily available, the Secretary
5	may credit an appropriate account, which shall
6	be available for the purposes and period associ-
7	ated with the account so credited; or
8	(B) if no such appropriation remains avail-
9	able, shall be deposited in the Treasury as mis-
10	cellaneous receipts: Provided further, That prior
11	to depositing such recovery in the Treasury, the
12	Secretary shall notify the House and Senate
13	Committees on Appropriations of the amount
14	and reasons for such transfer: Provided further,
15	That for purposes of this section, the term "im-
16	proper payments" has the same meaning as
17	that provided in section $2(e)(2)$ of Public Law
18	111–204.
19	Sec. 188. Notwithstanding any other provision of
20	law, if any funds provided in or limited by this Act are
21	subject to a reprogramming action that requires notice to
22	be provided to the House and Senate Committees on Ap-
23	propriations, transmission of said reprogramming notice
24	shall be provided solely to the House and Senate Commit-
25	tees on Appropriations, and said reprogramming action



- 1 shall be approved or denied solely by the House and Sen-
- 2 ate Committees on Appropriations: Provided, That the
- 3 Secretary of Transportation may provide notice to other
- 4 congressional committees of the action of the House and
- 5 Senate Committees on Appropriations on such reprogram-
- 6 ming but not sooner than 30 days following the date on
- 7 which the reprogramming action has been approved or de-
- 8 nied by the House and Senate Committees on Appropria-
- 9 tions.
- 10 Sec. 189. Funds appropriated in this Act to the
- 11 modal administrations may be obligated for the Office of
- 12 the Secretary for the costs related to assessments or reim-
- 13 bursable agreements only when such amounts are for the
- 14 costs of goods and services that are purchased to provide
- 15 a direct benefit to the applicable modal administration or
- 16 administrations.
- 17 Sec. 190. The Secretary of Transportation is author-
- 18 ized to carry out a program that establishes uniform
- 19 standards for developing and supporting agency transit
- 20 pass and transit benefits authorized under section 7905
- 21 of title 5, United States Code, including distribution of
- 22 transit benefits by various paper and electronic media.
- 23 Sec. 191. The Department of Transportation may
- 24 use funds provided by this Act, or any other Act, to assist
- 25 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing



1	geographic, economic, or any other hiring preference not
2	otherwise authorized by law, or to amend a rule, regula-
3	tion, policy or other measure that forbids a recipient of
4	a Federal Highway Administration or Federal Transit Ad-
5	ministration grant from imposing such hiring preference
6	on a contract or construction project with which the De-
7	partment of Transportation is assisting, only if the grant
8	recipient certifies the following:
9	(1) that except with respect to apprentices or
10	trainees, a pool of readily available but unemployed
11	individuals possessing the knowledge, skill, and abil-
12	ity to perform the work that the contract requires
13	resides in the jurisdiction;
14	(2) that the grant recipient will include appro-
15	priate provisions in its bid document ensuring that
16	the contractor does not displace any of its existing
17	employees in order to satisfy such hiring preference
18	and
19	(3) that any increase in the cost of labor, train-
20	ing, or delays resulting from the use of such hiring
21	preference does not delay or displace any transpor-
22	tation project in the applicable Statewide Transpor-
23	tation Improvement Program or Transportation Im-
24	provement Program.



- 1 This title may be cited as the "Department of Trans-
- 2 portation Appropriations Act, 2019".



1	TITLE II
2	DEPARTMENT OF HOUSING AND URBAN
3	DEVELOPMENT
4	Management and Administration
5	EXECUTIVE OFFICES
6	For necessary salaries and expenses for Executive Of-
7	fices, which shall be comprised of the offices of the Sec-
8	retary, Deputy Secretary, Adjudicatory Services, Congres-
9	sional and Intergovernmental Relations, Public Affairs
10	Small and Disadvantaged Business Utilization, and the
11	Center for Faith-Based and Neighborhood Partnerships
12	\$14,900,000, to remain available until September 30
13	2020: Provided, That not to exceed \$25,000 of the amount
14	made available under this heading shall be available to the
15	Secretary for official reception and representation ex-
16	penses as the Secretary may determine.
17	ADMINISTRATIVE SUPPORT OFFICES
18	For necessary salaries and expenses for Administra-
19	tive Support Offices, \$541,500,000, to remain available
20	until September 30, 2020, of which \$70,400,000 shall be
21	available for the Office of the Chief Financial Officer, (and
22	of which \$20,000,000, to remain available until September
23	30, 2021, shall be for the financial transformation initia-
24	tive); \$97,800,000 shall be available for the Office of the
25	General Counsel of which not less than \$15,000,000 shall



1	be for the Departmental Enforcement Center;
2	\$206,300,000 shall be available for the Office of Adminis-
3	tration; \$40,400,000 shall be available for the Office of
4	the Chief Human Capital Officer; \$54,300,000 shall be
5	available for the Office of Field Policy and Management
6	\$19,100,000 shall be available for the Office of the Chief
7	Procurement Officer; \$3,800,000 shall be available for the
8	Office of Departmental Equal Employment Opportunity
9	\$4,700,000 shall be available for the Office of Business
10	Transformation; and \$44,700,000 shall be available for
11	the Office of the Chief Information Officer: Provided, That
12	funds provided under this heading may be used for nec-
13	essary administrative and non-administrative expenses of
14	the Department of Housing and Urban Development, not
15	otherwise provided for, including purchase of uniforms, or
16	allowances therefor, as authorized by 5 U.S.C. 5901-
17	5902; hire of passenger motor vehicles; and services as au-
18	thorized by 5 U.S.C. 3109: Provided further, That not-
19	withstanding any other provision of law, funds appro-
20	priated under this heading may be used for advertising
21	and promotional activities that directly support program
22	activities funded in this title: Provided further, That the
23	Secretary shall provide the House and Senate Committees
24	on Appropriations quarterly written notification regarding
25	the status of pending congressional reports: Provided fur-



1	ther, That the Secretary shall provide in electronic form
2	all signed reports required by Congress: Provided further
3	That not more than 10 percent of the funds made avail-
4	able under this heading for the Office of Chief Financia
5	Officer for the financial transformation initiative may be
6	obligated until the Secretary submits to the House and
7	Senate Committees on Appropriations, for approval, a
8	plan for expenditure that includes the financial and inter-
9	nal control capabilities to be delivered and the mission
10	benefits to be realized, key milestones to be met, and the
11	relationship between the proposed use of funds made avail-
12	able under this heading and the projected total cost and
13	scope of the initiative.
14	PROGRAM OFFICE SALARIES AND EXPENSES
15	PUBLIC AND INDIAN HOUSING
16	For necessary salaries and expenses of the Office of
17	Public and Indian Housing, \$219,800,000, to remain
18	available until September 30, 2020.
19	COMMUNITY PLANNING AND DEVELOPMENT
20	For necessary salaries and expenses of the Office of
21	Community Planning and Development, \$112,344,000, to
22	remain available until September 30, 2020.
23	HOUSING
24	For necessary salaries and expenses of the Office of
25	Housing \$382 500 000 to romain available until San



1	tember 30, 2020, of which not less than \$12,000,000 shall
2	be for the Office of Recapitalization.
3	POLICY DEVELOPMENT AND RESEARCH
4	For necessary salaries and expenses of the Office of
5	Policy Development and Research, \$26,000,000, to re-
6	main available until September 30, 2020.
7	FAIR HOUSING AND EQUAL OPPORTUNITY
8	For necessary salaries and expenses of the Office of
9	Fair Housing and Equal Opportunity, \$72,900,000, to re-
10	main available until September 30, 2020.
11	OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
12	HOMES
13	For necessary salaries and expenses of the Office of
14	Lead Hazard Control and Healthy Homes, \$8,600,000, to
15	remain available until September 30, 2020.
16	WORKING CAPITAL FUND
17	(INCLUDING TRANSFER OF FUNDS)
18	For the working capital fund for the Department of
19	Housing and Urban Development (referred to in this para-
20	graph as the "Fund"), pursuant, in part, to section 7(f)
21	of the Department of Housing and Urban Development
22	Act (42 U.S.C. 3535(f)), amounts transferred, including
23	reimbursements pursuant to section 7(f), to the Fund
24	under this heading shall be available for Federal shared
25	services used by offices and agencies of the Department,



1	and for such portion of any office or agency's printing
2	records management, space renovation, furniture, or sup-
3	ply services as the Secretary determines shall be derived
4	from centralized sources made available by the Depart
5	ment to all offices and agencies and funded through the
6	Fund: Provided, That of the amounts made available in
7	this title for salaries and expenses under the headings
8	"Executive Offices", "Administrative Support Offices"
9	"Program Office Salaries and Expenses", and "Govern-
10	ment National Mortgage Association", the Secretary shall
11	transfer to the Fund such amounts, to remain available
12	until expended, as are necessary to fund services, specified
13	in the matter preceding the first proviso, for which the
14	appropriation would otherwise have been available, and
15	may transfer not to exceed an additional \$5,000,000, in
16	aggregate, from all such appropriations, to be merged with
17	the Fund and to remain available until expended for any
18	purpose under this heading: Provided further, That
19	amounts in the Fund shall be the only amounts available
20	to each office or agency of the Department for the serv-
21	ices, or portion of services, specified in the matter pre-
22	ceding the first proviso: Provided further, That with re-
23	spect to the Fund, the authorities and conditions under
24	this heading shall supplement the authorities and condi-
25	tions provided under section 7(f)



1	Public and Indian Housing
2	TENANT-BASED RENTAL ASSISTANCE
3	For activities and assistance for the provision of ten-
4	ant-based rental assistance authorized under the United
5	States Housing Act of 1937, as amended (42 U.S.C. 1437
6	et seq.) ("the Act" herein), not otherwise provided for,
7	\$18,598,000,000, to remain available until expended, shall
8	be available on October 1, 2018 (in addition to the
9	\$4,000,000,000 previously appropriated under this head-
10	ing that shall be available on October 1, 2018), and
11	\$4,000,000,000, to remain available until expended, shall
12	be available on October 1, 2019: Provided, That the
13	amounts made available under this heading are provided
14	as follows:
15	(1) \$20,313,000,000 shall be available for re-
16	newals of expiring section 8 tenant-based annual
17	contributions contracts (including renewals of en-
18	hanced vouchers under any provision of law author-
19	izing such assistance under section 8(t) of the Act)
20	and including renewal of other special purpose incre-
21	mental vouchers: Provided, That notwithstanding
22	any other provision of law, from amounts provided
23	under this paragraph and any carryover, the Sec-
24	retary for the calendar year 2019 funding cycle shall
25	provide renewal funding for each public housing



1	agency based on validated voucher management sys-
2	tem (VMS) leasing and cost data for the prior cal-
3	endar year and by applying an inflation factor as es-
4	tablished by the Secretary, by notice published in
5	the Federal Register, and by making any necessary
6	adjustments for the costs associated with the first-
7	time renewal of vouchers under this paragraph in-
8	cluding tenant protection and Choice Neighborhoods
9	vouchers: Provided further, That none of the funds
10	provided under this paragraph may be used to fund
11	a total number of unit months under lease which ex-
12	ceeds a public housing agency's authorized level of
13	units under contract, except for public housing agen-
14	cies participating in the MTW demonstration, which
15	are instead governed by the terms and conditions of
16	their MTW agreements: Provided further, That the
17	Secretary shall, to the extent necessary to stay with-
18	in the amount specified under this paragraph (ex-
19	cept as otherwise modified under this paragraph),
20	prorate each public housing agency's allocation oth-
21	erwise established pursuant to this paragraph: $Pro-$
22	vided further, That except as provided in the fol-
23	lowing provisos, the entire amount specified under
24	this paragraph (except as otherwise modified under
25	this paragraph) shall be obligated to the public hous-



1	ing agencies based on the allocation and pro rata
2	method described above, and the Secretary shall no-
3	tify public housing agencies of their annual budget
4	by the latter of 60 days after enactment of this Act
5	or March 1, 2019: Provided further, That the Sec-
6	retary may extend the notification period with the
7	prior written approval of the House and Senate
8	Committees on Appropriations: Provided further,
9	That public housing agencies participating in the
10	MTW demonstration shall be funded pursuant to
11	their MTW agreements and shall be subject to the
12	same pro rata adjustments under the previous pro-
13	visos: Provided further, That the Secretary may off-
14	set public housing agencies' calendar year 2019 allo-
15	cations based on the excess amounts of public hous-
16	ing agencies' net restricted assets accounts, includ-
17	ing HUD-held programmatic reserves (in accordance
18	with VMS data in calendar year 2018 that is
19	verifiable and complete), as determined by the Sec-
20	retary: Provided further, That public housing agen-
21	cies participating in the MTW demonstration shall
22	also be subject to the offset, as determined by the
23	Secretary, excluding amounts subject to the single
24	fund budget authority provisions of their MTW
25	agreements, from the agencies' calendar year 2019



1	MTW funding allocation: Provided further, That the
2	Secretary shall use any offset referred to in the pre-
3	vious two provisos throughout the calendar year to
4	prevent the termination of rental assistance for fam-
5	ilies as the result of insufficient funding, as deter-
6	mined by the Secretary, and to avoid or reduce the
7	proration of renewal funding allocations: Provided
8	further, That up to \$100,000,000 shall be available
9	only: (1) for adjustments in the allocations for public
10	housing agencies, after application for an adjust-
11	ment by a public housing agency that experienced a
12	significant increase, as determined by the Secretary,
13	in renewal costs of vouchers resulting from unfore-
14	seen circumstances or from portability under section
15	8(r) of the Act; (2) for vouchers that were not in use
16	during the previous 12-month period in order to be
17	available to meet a commitment pursuant to section
18	8(o)(13) of the Act; (3) for adjustments for costs as-
19	sociated with HUD-Veterans Affairs Supportive
20	Housing (HUD-VASH) vouchers; and (4) for public
21	housing agencies that despite taking reasonable cost
22	savings measures, as determined by the Secretary,
23	would otherwise be required to terminate rental as-
24	sistance for families as a result of insufficient fund-
25	ing: Provided further, That the Secretary shall allo-



1	cate amounts under the previous proviso based on
2	need, as determined by the Secretary;

(2) \$85,000,000 shall be for section 8 rental as
sistance for relocation and replacement of housing
units that are demolished or disposed of pursuant to
section 18 of the Act, conversion of section 23
projects to assistance under section 8, the family
unification program under section 8(x) of the Act
relocation of witnesses in connection with efforts to
combat crime in public and assisted housing pursu-
ant to a request from a law enforcement or prosecu-
tion agency, enhanced vouchers under any provision
of law authorizing such assistance under section 8(t)
of the Act, Choice Neighborhood vouchers, manda-
tory and voluntary conversions, and tenant protec-
tion assistance including replacement and relocation
assistance or for project-based assistance to prevent
the displacement of unassisted elderly tenants cur-
rently residing in section 202 properties financed be-
tween 1959 and 1974 that are refinanced pursuant
to Public Law 106–569, as amended, or under the
authority as provided under this Act: Provided, That
when a public housing development is submitted for
demolition or disposition under section 18 of the
Act, the Secretary may provide section 8 rental as



1	sistance when the units pose an imminent health
2	and safety risk to residents: Provided further, That
3	the Secretary may only provide replacement vouch-
4	ers for units that were occupied within the previous
5	24 months that cease to be available as assisted
6	housing, subject only to the availability of funds:
7	Provided further, That of the amounts made avail-
8	able under this paragraph, \$5,000,000 may be avail-
9	able to provide tenant protection assistance, not oth-
10	erwise provided under this paragraph, to residents
11	residing in low vacancy areas and who may have to
12	pay rents greater than 30 percent of household in-
13	come, as the result of: (A) the maturity of a HUD-
14	insured, HUD-held or section 202 loan that requires
15	the permission of the Secretary prior to loan prepay-
16	ment; (B) the expiration of a rental assistance con-
17	tract for which the tenants are not eligible for en-
18	hanced voucher or tenant protection assistance
19	under existing law; or (C) the expiration of afford-
20	ability restrictions accompanying a mortgage or
21	preservation program administered by the Secretary:
22	Provided further, That such tenant protection assist-
23	ance made available under the previous proviso may
24	be provided under the authority of section 8(t) or
25	section 8(o)(13) of the United States Housing Act



1	of 1937 (42 U.S.C. 1437f(t)): Provided further, That
2	the Secretary shall issue guidance to implement the
3	previous provisos, including, but not limited to, re-
4	quirements for defining eligible at-risk households
5	within 60 days of the enactment of this Act: Pro-
6	vided further, That any tenant protection voucher
7	made available from amounts under this paragraph
8	shall not be reissued by any public housing agency,
9	except the replacement vouchers as defined by the
10	Secretary by notice, when the initial family that re-
11	ceived any such voucher no longer receives such
12	voucher, and the authority for any public housing
13	agency to issue any such voucher shall cease to exist:
14	Provided further, That the Secretary may provide
15	section 8 rental assistance from amounts made
16	available under this paragraph for units assisted
17	under a project-based subsidy contract funded under
18	the "Project-Based Rental Assistance" heading
19	under this title where the owner has received a No-
20	tice of Default and the units pose an imminent
21	health and safety risk to residents: Provided further,
22	That to the extent that the Secretary determines
23	that such units are not feasible for continued rental
24	assistance payments or transfer of the subsidy con-
25	tract associated with such units to another project



or projects and owner or owners, any remaining
amounts associated with such units under such con-
tract shall be recaptured and used to reimburse
amounts used under this paragraph for rental assist-
ance under the preceding proviso;

(3) \$1,886,000,000 shall be for administrative
and other expenses of public housing agencies in ad-
ministering the section 8 tenant-based rental assist-
ance program, of which up to \$30,000,000 shall be
available to the Secretary to allocate to public hous-
ing agencies that need additional funds to admin-
ister their section 8 programs, including fees associ-
ated with section 8 tenant protection rental assist-
ance, the administration of disaster related vouchers,
HUD-VASH vouchers, and other special purpose in-
cremental vouchers: Provided, That no less than
\$1,856,000,000 of the amount provided in this para-
graph shall be allocated to public housing agencies
for the calendar year 2019 funding cycle based on
section 8(q) of the Act (and related Appropriation
Act provisions) as in effect immediately before the
enactment of the Quality Housing and Work Re-
sponsibility Act of 1998 (Public Law 105–276): Pro-
vided further, That if the amounts made available
under this paragraph are insufficient to pay the



amounts determined under the previous proviso, the
Secretary may decrease the amounts allocated to
agencies by a uniform percentage applicable to all
agencies receiving funding under this paragraph or
may, to the extent necessary to provide full payment
of amounts determined under the previous proviso,
utilize unobligated balances, including recaptures
and carryovers, remaining from funds appropriated
to the Department of Housing and Urban Develop-
ment under this heading from prior fiscal years, ex-
cluding special purpose vouchers, notwithstanding
the purposes for which such amounts were appro-
priated: Provided further, That all public housing
agencies participating in the MTW demonstration
shall be funded pursuant to their MTW agreements,
and shall be subject to the same uniform percentage
decrease as under the previous proviso: Provided fur-
ther, That amounts provided under this paragraph
shall be only for activities related to the provision of
tenant-based rental assistance authorized under sec-
tion 8, including related development activities;
(4) \$225,000,000 for the renewal of tenant-
based assistance contracts under section 811 of the
Cranston-Gonzalez National Affordable Housing Act
(42 U.S.C. 8013), including necessary administra-



tive expenses: Provided, That administrative and
other expenses of public housing agencies in admin-
istering the special purpose vouchers in this para-
graph shall be funded under the same terms and be
subject to the same pro rata reduction as the per-
cent decrease for administrative and other expenses
to public housing agencies under paragraph (3) of
this heading: Provided further, That any amounts
provided under this paragraph in this Act or prior
Acts, remaining available after funding renewals and
administrative expenses under this paragraph, shall
be available only for incremental tenant-based rental
assistance contracts under such section 811 for non-
elderly persons with disabilities, including necessary
administrative expenses: Provided further, That upon
turnover, section 811 special purpose vouchers fund-
ed under this heading in this or prior Acts, or under
any other heading in prior Acts, shall be provided to
non-elderly persons with disabilities;
(5) \$4,000,000 shall be for rental assistance
and associated administrative fees for Tribal HUD-
VASH to serve Native American veterans that are
homeless or at-risk of homelessness living on or near
a reservation or other Indian areas: Provided, That

such amount shall be made available for renewal

1	grants to recipients that received assistance under
2	prior Acts under the Tribal HUD-VASH program:
3	Provided further, That the Secretary shall be author-
4	ized to specify criteria for renewal grants, including
5	data on the utilization of assistance reported by
6	grant recipients: Provided further, That such assist-
7	ance shall be administered in accordance with pro-
8	gram requirements under the Native American
9	Housing Assistance and Self-Determination Act of
10	1996 and modeled after the HUD-VASH program:
11	Provided further, That the Secretary shall be author-
12	ized to waive, or specify alternative requirements for
13	any provision of any statute or regulation that the
14	Secretary administers in connection with the use of
15	funds made available under this paragraph (except
16	for requirements related to fair housing, non-
17	discrimination, labor standards, and the environ-
18	ment), upon a finding by the Secretary that any
19	such waivers or alternative requirements are nec-
20	essary for the effective delivery and administration
21	of such assistance: Provided further, That grant re-
22	cipients shall report to the Secretary on utilization
23	of such rental assistance and other program data, as
24	prescribed by the Secretary: Provided further, That
25	the Secretary may reallocate, as determined by the



1	Secretary, amounts returned or recaptured from
2	awards under prior acts;
3	(6) \$40,000,000 for incremental rental voucher
4	assistance for use through a supported housing pro-
5	gram administered in conjunction with the Depart-
6	ment of Veterans Affairs as authorized under section
7	8(o)(19) of the United States Housing Act of 1937:
8	Provided, That the Secretary of Housing and Urban
9	Development shall make such funding available, not-
10	withstanding section 203 (competition provision) of
11	this title, to public housing agencies that partner
12	with eligible VA Medical Centers or other entities as
13	designated by the Secretary of the Department of
14	Veterans Affairs, based on geographical need for
15	such assistance as identified by the Secretary of the
16	Department of Veterans Affairs, public housing
17	agency administrative performance, and other fac-
18	tors as specified by the Secretary of Housing and
19	Urban Development in consultation with the Sec-

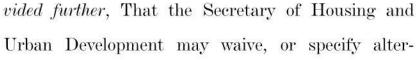


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retary of the Department of Veterans Affairs: Pro-

native	requirements	for	(in	consultation	with	the

Secretary	of	the	Department	of	Veterans	Affairs)	,

any	provision	of	any	statute	or	regulation	that	the
•	_					C		

Secretary of Housing and Urban Development ad-
ministers in connection with the use of funds made
available under this paragraph (except for require-
ments related to fair housing, nondiscrimination,
labor standards, and the environment), upon a find-
ing by the Secretary that any such waivers or alter-
native requirements are necessary for the effective
delivery and administration of such voucher assist-
ance: Provided further, That assistance made avail-
able under this paragraph shall continue to remain
available for homeless veterans upon turn-over;

(7) \$20,000,000 shall be made available for new incremental voucher assistance through the family unification program as authorized by section 8(x) of the Act: *Provided*, That the assistance made available under this paragraph shall continue to remain available for family unification upon turnover: *Provided further*, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies

1	based on need for voucher assistance in connection
2	with such program;

(8) \$25,000,000 shall be made available for the
mobility demonstration authorized under section 235
of this title, of which up to \$5,000,000 shall be for
new incremental voucher assistance and the remain-
der of which shall be available to provide mobility-
related services to families with children, including
pre- and post-move counseling and rent deposits
and to offset the administrative costs of operating
the mobility demonstration: Provided, That incre-
mental voucher assistance made available under this
paragraph shall be for families with children partici-
pating in the mobility demonstration and shall con-
tinue to remain available for families with children
upon turnover: Provided further, That for any public
housing agency administering voucher assistance
under the mobility demonstration that determines
that it no longer has an identified need for such as
sistance upon turnover, such agency shall notify the
Secretary, and the Secretary shall recapture such as
sistance from the agency and reallocate it to any
other public housing agency or agencies based or
need for voucher assistance in connection with such
demonstration: and



1	(9) the Secretary shall separately track all spe-
2	cial purpose vouchers funded under this heading.
3	HOUSING CERTIFICATE FUND
4	(INCLUDING RESCISSIONS)
5	Unobligated balances, including recaptures and car-
6	ryover, remaining from funds appropriated to the Depart-
7	ment of Housing and Urban Development under this
8	heading, the heading "Annual Contributions for Assisted
9	Housing" and the heading "Project-Based Rental Assist-
10	ance", for fiscal year 2019 and prior years may be used
11	for renewal of or amendments to section 8 project-based
12	contracts and for performance-based contract administra-
13	tors, notwithstanding the purposes for which such funds
14	were appropriated: Provided, That any obligated balances
15	of contract authority from fiscal year 1974 and prior that
16	have been terminated shall be rescinded: Provided further,
17	That amounts heretofore recaptured, or recaptured during
18	the current fiscal year, from section 8 project-based con-
19	tracts from source years fiscal year 1975 through fiscal
20	year 1987 are hereby rescinded, and an amount of addi-
21	tional new budget authority, equivalent to the amount re-
22	scinded is hereby appropriated, to remain available until
23	expended, for the purposes set forth under this heading,
24	in addition to amounts otherwise available.



1	PUBLIC HOUSING CAPITAL FUND
2	For the Public Housing Capital Fund Program to
3	carry out capital and management activities for public
4	housing agencies, as authorized under section 9 of the
5	United States Housing Act of 1937 (42 U.S.C. 1437g)
6	(the "Act") \$2,775,000,000, to remain available until
7	September 30, 2022: Provided, That notwithstanding any
8	other provision of law or regulation, during fiscal year
9	2019, the Secretary of Housing and Urban Development
10	may not delegate to any Department official other than
11	the Deputy Secretary and the Assistant Secretary for
12	Public and Indian Housing any authority under paragraph
13	(2) of section 9(j) regarding the extension of the time peri-
14	ods under such section: Provided further, That for pur-
15	poses of such section 9(j), the term "obligate" means, with
16	respect to amounts, that the amounts are subject to a
17	binding agreement that will result in outlays, immediately
18	or in the future: Provided further, That of the total
19	amount made available under this heading, up to
20	\$14,000,000 shall be to support ongoing public housing
21	financial and physical assessment activities: Provided fur-
22	ther, That of the total amount made available under this
23	heading, up to \$1,000,000 shall be to support the costs
24	of administrative and judicial receiverships: Provided fur-
25	ther That of the total amount provided under this head-



1	ing, not to exceed \$30,000,000 shall be available for the
2	Secretary to make grants, notwithstanding section 203 of
3	this Act, to public housing agencies for emergency capital
4	needs including safety and security measures necessary to
5	address crime and drug-related activity as well as needs
6	resulting from unforeseen or unpreventable emergencies
7	and natural disasters excluding Presidentially declared
8	emergencies and natural disasters under the Robert T.
9	Stafford Disaster Relief and Emergency Act (42 U.S.C.
10	5121 et seq.) occurring in fiscal year 2019: Provided fur-
11	ther, That of the amount made available under the pre-
12	vious proviso, not less than \$10,000,000 shall be for safety
13	and security measures: Provided further, That in addition
14	to the amount in the previous proviso for such safety and
15	security measures, any amounts that remain available,
16	after all applications received on or before September 30,
17	2020, for emergency capital needs have been processed,
18	shall be allocated to public housing agencies for such safe-
19	ty and security measures: Provided further, That of the
20	total amount provided under this heading, up to

21

- 34 of the Act (42 U.S.C. 1437z-6) and the Native Amer-

- 24 ican Housing Assistance and Self-Determination Act of

\$35,000,000 shall be for supportive services, service coor-

dinators and congregate services as authorized by section

25 1996 (25 U.S.C. 4101 et seq.): Provided further, That of

1	the total amount made available under this heading
2	\$15,000,000 shall be for a Jobs-Plus initiative modeled
3	after the Jobs-Plus demonstration: Provided further, That
4	funding provided under the previous proviso shall be avail-
5	able for competitive grants to partnerships between public
6	housing authorities, local workforce investment boards es
7	tablished under section 107 of the Workforce Innovation
8	and Opportunity Act of 2014 (29 U.S.C. 3122), and other
9	agencies and organizations that provide support to help
10	public housing residents obtain employment and increase
11	earnings: Provided further, That applicants must deme
12	onstrate the ability to provide services to residents, part
13	ner with workforce investment boards, and leverage service
14	dollars: Provided further, That the Secretary may allow
15	public housing agencies to request exemptions from ren
16	and income limitation requirements under sections 3 and
17	6 of the United States Housing Act of 1937 (42 U.S.C
18	1437a and 1437d), as necessary to implement the Jobs
19	Plus program, on such terms and conditions as the Sec
20	retary may approve upon a finding by the Secretary that
21	any such waivers or alternative requirements are nec
22	essary for the effective implementation of the Jobs-Plus
23	initiative as a voluntary program for residents: Provided
24	further, That the Secretary shall publish by notice in the
25	Federal Register any waivers or alternative requirements



1	pursuant to the preceding proviso no later than 10 days
2	before the effective date of such notice: Provided further,
3	That for funds provided under this heading, the limitation
4	in section $9(g)(1)$ of the Act shall be 25 percent: Provided
5	further, That the Secretary may waive the limitation in
6	the previous proviso to allow public housing agencies to
7	fund activities authorized under section $9(e)(1)(C)$ of the
8	Act: Provided further, That the Secretary shall notify pub-
9	lic housing agencies requesting waivers under the previous
10	proviso if the request is approved or denied within 14 days
11	of submitting the request: $Provided\ further,$ That from the
12	funds made available under this heading, the Secretary
13	shall provide bonus awards in fiscal year 2019 to public
14	housing agencies that are designated high performers:
15	Provided further, That the Department shall notify public
16	housing agencies of their formula allocation within 60
17	days of enactment of this Act: Provided further, That of
18	the total amount provided under this heading,
19	\$25,000,000 shall be available for competitive grants to
20	public housing agencies to evaluate and reduce lead-based
21	paint hazards in public housing by carrying out the activi-
22	ties of risk assessments, abatement, and interim controls
23	(as those terms are defined in section 1004 of the Residen-
24	tial Lead-Based Paint Hazard Reduction Act of 1992 (42
25	U.S.C. 4851b)): Provided further. That for purposes of en-



- 1 vironmental review, a grant under the previous proviso
- 2 shall be considered funds for projects or activities under
- 3 title I of the United States Housing Act of 1937 (42
- 4 U.S.C. 1437 et seq.) for purposes of section 26 of such
- 5 Act (42 U.S.C. 1437x) and shall be subject to the regula-
- 6 tions implementing such section.
- 7 PUBLIC HOUSING OPERATING FUND
- 8 For 2019 payments to public housing agencies for the
- 9 operation and management of public housing, as author-
- 10 ized by section 9(e) of the United States Housing Act of
- 11 1937 (42 U.S.C. 1437g(e)), \$4,653,116,000, to remain
- 12 available until September 30, 2020.
- 13 CHOICE NEIGHBORHOODS INITIATIVE
- 14 For competitive grants under the Choice Neighbor-
- 15 hoods Initiative (subject to section 24 of the United States
- 16 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise
- 17 specified under this heading), for transformation, rehabili-
- 18 tation, and replacement housing needs of both public and
- 19 HUD-assisted housing and to transform neighborhoods of
- 20 poverty into functioning, sustainable mixed income neigh-
- 21 borhoods with appropriate services, schools, public assets,
- 22 transportation and access to jobs, \$150,000,000, to re-
- 23 main available until September 30, 2021: Provided, That
- 24 grant funds may be used for resident and community serv-
- 25 ices, community development, and affordable housing



1	needs in	the	community,	and	for	conversion	of	vacant	or	
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- 2 foreclosed properties to affordable housing: Provided fur-
- 3 ther, That the use of funds made available under this
- 4 heading shall not be deemed to be public housing notwith-
- 5 standing section 3(b)(1) of such Act: Provided further,
- 6 That grantees shall commit to an additional period of af-
- 7 fordability determined by the Secretary of not fewer than
- 8 20 years: Provided further, That grantees shall provide a
- 9 match in State, local, other Federal or private funds: Pro-
- 10 vided further, That grantees may include local govern-
- 11 ments, tribal entities, public housing authorities, and non-
- 12 profits: Provided further, That for-profit developers may
- 13 apply jointly with a public entity: Provided further, That
- 14 for purposes of environmental review, a grantee shall be
- 15 treated as a public housing agency under section 26 of
- 16 the United States Housing Act of 1937 (42 U.S.C.
- 17 1437x), and grants under this heading shall be subject
- 18 to the regulations issued by the Secretary to implement
- 19 such section: Provided further, That of the amount pro-
- 20 vided, not less than \$75,000,000 shall be awarded to pub-
- 21 lie housing agencies: Provided further, That such grantees
- 22 shall create partnerships with other local organizations in-
- 23 cluding assisted housing owners, service agencies, and
- 24 resident organizations: Provided further, That the Sec-
- 25 retary shall consult with the Secretaries of Education,



- 1 Labor, Transportation, Health and Human Services, Agri-
- 2 culture, and Commerce, the Attorney General, and the Ad-
- 3 ministrator of the Environmental Protection Agency to co-
- 4 ordinate and leverage other appropriate Federal resources:
- 5 Provided further, That no more than \$5,000,000 of funds
- 6 made available under this heading may be provided as
- 7 grants to undertake comprehensive local planning with
- 8 input from residents and the community: Provided further,
- 9 That unobligated balances, including recaptures, remain-
- 10 ing from funds appropriated under the heading "Revital-
- 11 ization of Severely Distressed Public Housing (HOPE
- 12 VI)" in fiscal year 2011 and prior fiscal years may be used
- 13 for purposes under this heading, notwithstanding the pur-
- 14 poses for which such amounts were appropriated: Provided
- 15 further, That the Secretary shall issue the Notice of Fund-
- 16 ing Availability for funds made available under this head-
- 17 ing no later than 60 days after enactment of this Act: Pro-
- 18 vided further, That the Secretary shall make grant awards
- 19 no later than one year from the date of enactment of this
- 20 Act in such amounts that the Secretary determines: Pro-
- 21 vided further, That notwithstanding section 24(o) of the
- 22 United States Housing Act of 1937 (42 U.S.C. 1437v(o)),
- 23 the Secretary may, until September 30, 2019, obligate any
- 24 available unobligated balances made available under this
- 25 heading in this, or any prior Act.



1	FAMILY SELF-SUFFICIENCY
2	For the Family Self-Sufficiency program to support
3	family self-sufficiency coordinators under section 23 of the
4	United States Housing Act of 1937, to promote the devel-
5	opment of local strategies to coordinate the use of assist-
6	ance under sections 8(o) and 9 of such Act with public
7	and private resources, and enable eligible families to
8	achieve economic independence and self-sufficiency,
9	\$80,000,000, to remain available until September 30,
10	2020: Provided, That the Secretary may, by Federal Reg-
11	ister notice, waive or specify alternative requirements
12	under subsections $b(3)$, $b(4)$, $b(5)$, or $c(1)$ of section 23
13	of such Act in order to facilitate the operation of a unified
14	self-sufficiency program for individuals receiving assist-
15	ance under different provisions of the Act, as determined
16	by the Secretary: Provided further, That owners of a pri-
17	vately owned multifamily property with a section 8 con-
18	tract may voluntarily make a Family Self-Sufficiency pro-
19	gram available to the assisted tenants of such property
20	in accordance with procedures established by the Sec-
21	${\it retary:}\ Provided\ further,\ {\it That\ such\ procedures\ established}$
22	pursuant to the previous proviso shall permit participating
23	tenants to accrue escrow funds in accordance with section
24	23(d)(2) and shall allow owners to use funding from resid-



÷	ual receipt accounts to nire coordinators for their own
2	Family Self-Sufficiency program.
3	NATIVE AMERICAN HOUSING BLOCK GRANTS
4	(INCLUDING TRANSFER OF FUNDS)
5	For the Native American Housing Block Grants pro-
6	gram, as authorized under title I of the Native American
7	Housing Assistance and Self-Determination Act of 1996
8	(NAHASDA) (25 U.S.C. 4111 et seq.), \$655,000,000, to
9	remain available until September 30, 2023: Provided,
10	That, notwithstanding NAHASDA, to determine the
11	amount of the allocation under title I of such Act for each
12	Indian tribe, the Secretary shall apply the formula under
13	section 302 of such Act with the need component based
14	on single-race census data and with the need component
15	based on multi-race census data, and the amount of the
16	allocation for each Indian tribe shall be the greater of the
17	two resulting allocation amounts: Provided further, That
18	of the amounts made available under this heading,
19	\$7,000,000 shall be for providing training and technical
20	assistance to Indian housing authorities and tribally des-
21	ignated housing entities, to support the inspection of In-
22	dian housing units, contract expertise, and for training
23	and technical assistance related to funding provided under
24	this heading and other headings under this Act for the
25	needs of Native American families and Indian country:



1	Provided further, That of the funds made available under
2	the previous proviso, not less than \$2,000,000 shall be
3	made available for a national organization as authorized
4	under section 703 of NAHASDA (25 U.S.C. 4212): Pro-
5	vided further, That amounts made available under the pre-
6	vious two provisos may be used, contracted, or competed
7	as determined by the Secretary: Provided further, That of
8	the amount provided under this heading, \$2,000,000 shall
9	be made available for the cost of guaranteed notes and
10	other obligations, as authorized by title VI of NAHASDA
11	Provided further, That such costs, including the costs of
12	modifying such notes and other obligations, shall be as de-
13	fined in section 502 of the Congressional Budget Act of
14	1974, as amended: Provided further, That these funds are
15	available to subsidize the total principal amount of any
16	notes and other obligations, any part of which is to be
17	guaranteed, not to exceed \$17,761,989: Provided further
18	That the Department will notify grantees of their formula
19	allocation within 60 days of the date of enactment of this
20	Act: Provided further, That for an additional amount for
21	the Native American Housing Block Grants program, as
22	authorized under title I of NAHASDA, $\$100,000,000$ to
23	remain available until September 30, 2023: Provided fur-
24	ther, That the Secretary shall obligate this additional
25	amount for competitive grants to eligible recipients au-



- 1 thorized under NAHASDA that apply for funds: *Provided*
- 2 further, That in awarding this additional amount, the Sec-
- 3 retary shall consider need and administrative capacity,
- 4 and shall give priority to projects that will spur construc-
- 5 tion and rehabilitation: Provided further, That up to 1 per-
- 6 cent of this additional amount may be transferred, in ag-
- 7 gregate, to "Program Office Salaries and Expenses—Pub-
- 8 lic and Indian Housing" for necessary costs of admin-
- 9 istering and overseeing the obligation and expenditure of
- 10 this additional amount: Provided further, That any funds
- 11 transferred pursuant to the previous proviso shall remain
- 12 available until September 30, 2024.
- 13 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
- 14 ACCOUNT
- 15 For the cost of guaranteed loans, as authorized by
- 16 section 184 of the Housing and Community Development
- 17 Act of 1992 (12 U.S.C. 1715z–13a), \$1,440,000, to re-
- 18 main available until expended: Provided, That such costs,
- 19 including the costs of modifying such loans, shall be as
- 20 defined in section 502 of the Congressional Budget Act
- 21 of 1974: Provided further, That these funds are available
- 22 to subsidize total loan principal, any part of which is to
- 23 be guaranteed, up to \$553,846,154, to remain available
- 24 until expended: Provided further, That up to \$750,000 of
- 25 this amount may be for administrative contract expenses



- 1 including management processes and systems to carry out
- 2 the loan guarantee program.
- 3 NATIVE HAWAHAN HOUSING BLOCK GRANT
- 4 For the Native Hawaiian Housing Block Grant pro-
- 5 gram, as authorized under title VIII of the Native Amer-
- 6 ican Housing Assistance and Self-Determination Act of
- 7 1996 (25 U.S.C. 4111 et seq.), \$2,000,000, to remain
- 8 available until September 30, 2023: Provided, That not-
- 9 withstanding section 812(b) of such Act, the Department
- 10 of Hawaiian Home Lands may not invest grant amounts
- 11 provided under this heading in investment securities and
- 12 other obligations: Provided further, That amounts made
- 13 available under this heading in this and prior fiscal years
- 14 may be used to provide rental assistance to eligible Native
- 15 Hawaiian families both on and off the Hawaiian Home
- 16 Lands, notwithstanding any other provision of law.
- 17 COMMUNITY PLANNING AND DEVELOPMENT
- 18 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS
- 19 For carrying out the Housing Opportunities for Per-
- 20 sons with AIDS program, as authorized by the AIDS
- 21 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
- 22 \$393,000,000, to remain available until September 30,
- 23 2020, except that amounts allocated pursuant to section
- 24 854(c)(5) of such Act shall remain available until Sep-
- 25 tember 30, 2021: Provided, That the Secretary shall renew



- 1 all expiring contracts for permanent supportive housing
- 2 that initially were funded under section 854(c)(5) of such
- 3 Act from funds made available under this heading in fiscal
- 4 year 2010 and prior fiscal years that meet all program
- 5 requirements before awarding funds for new contracts
- 6 under such section: Provided further, That the Depart-
- 7 ment shall notify grantees of their formula allocation with-
- 8 in 60 days of enactment of this Act.
- 9 COMMUNITY DEVELOPMENT FUND
- 10 For assistance to units of State and local govern-
- 11 ment, and to other entities, for economic and community
- 12 development activities, and for other purposes,
- 13 \$3,365,000,000, to remain available until September 30,
- 14 2021, unless otherwise specified: Provided, That of the
- 15 total amount provided, \$3,300,000,000 is for carrying out
- 16 the community development block grant program under
- 17 title I of the Housing and Community Development Act
- 18 of 1974, as amended ("the Act" herein) (42 U.S.C. 5301
- 19 et seq.): Provided further, That unless explicitly provided
- 20 for under this heading, not to exceed 20 percent of any
- 21 grant made with funds appropriated under this heading
- 22 shall be expended for planning and management develop-
- 23 ment and administration: Provided further, That a metro-
- 24 politan city, urban county, unit of general local govern-
- 25 ment, Indian tribe, or insular area that directly or indi-



1	rectly receives funds under this heading may not sell
2	trade, or otherwise transfer all or any portion of such
3	funds to another such entity in exchange for any other
4	funds, credits or non-Federal considerations, but must use
5	such funds for activities eligible under title I of the Act
6	$Provided\ further,\ {\it That\ notwithstanding\ section\ 105(e)} (1$
7	of the Act, no funds provided under this heading may be
8	provided to a for-profit entity for an economic develop
9	ment project under section 105(a)(17) unless such project
10	has been evaluated and selected in accordance with guide
11	lines required under subsection (e)(2): Provided further
12	That the Department shall notify grantees of their for
13	mula allocation within 60 days of enactment of this Act
14	Provided further, That of the total amount provided under
15	this heading, \$65,000,000 shall be for grants to Indian
16	tribes notwithstanding section 106(a)(1) of such Act, o
17	which, notwithstanding any other provision of law (includ
18	ing section 203 of this Act), up to \$4,000,000 may be
19	used for emergencies that constitute imminent threats to
20	health and safety.
21	COMMUNITY DEVELOPMENT LOAN GUARANTEES
22	PROGRAM ACCOUNT
23	Subject to section 502 of the Congressional Budge
24	Act of 1974, during fiscal year 2019, commitments to



25 guarantee loans under section 108 of the Housing and

1	Community Development Act of 1974 (42 U.S.C. 5308)
2	any part of which is guaranteed, shall not exceed a total
3	principal amount of \$300,000,000, notwithstanding any
4	aggregate limitation on outstanding obligations guaran-
5	teed in subsection (k) of such section 108: Provided, That
6	the Secretary shall collect fees from borrowers, notwith-
7	standing subsection (m) of such section 108, to result in
8	a credit subsidy cost of zero for guaranteeing such loans
9	and any such fees shall be collected in accordance with
10	section 502(7) of the Congressional Budget Act of 1974
11	HOME INVESTMENT PARTNERSHIPS PROGRAM
12	For the HOME Investment Partnerships program, as
13	authorized under title II of the Cranston-Gonzalez Na-
14	tional Affordable Housing Act, as amended
15	\$1,250,000,000, to remain available until September 30
16	2022: Provided, That notwithstanding the amount made
17	available under this heading, the threshold reduction re-
18	quirements in sections 216(10) and 217(b)(4) of such Act
19	shall not apply to allocations of such amount: Provided
20	further, That the Department shall notify grantees of their
21	formula allocation within 60 days of enactment of this Act
22	SELF-HELP AND ASSISTED HOMEOWNERSHIP
23	OPPORTUNITY PROGRAM
24	For the Self-Help and Assisted Homeownership Op-
25	nortunity Program as authorized under section 11 of the



1	Housing Opportunity Program Extension Act of 1996, as
2	amended, \$54,000,000, to remain available until Sep-
3	tember 30, 2021: Provided, That of the total amount pro-
4	vided under this heading, \$10,000,000 shall be made
5	available to the Self-Help Homeownership Opportunity
6	Program as authorized under section 11 of the Housing
7	Opportunity Program Extension Act of 1996, as amended
8	Provided further, That of the total amount provided under
9	this heading, \$35,000,000 shall be made available for the
10	second, third, and fourth capacity building activities au-
11	thorized under section 4(a) of the HUD Demonstration
12	Act of 1993 (42 U.S.C. 9816 note), of which not less than
13	\$5,000,000 shall be made available for rural capacity
14	building activities: Provided further, That of the total
15	amount provided under this heading, \$5,000,000 shall be
16	made available for capacity building by national rura
17	housing organizations with experience assessing national
18	rural conditions and providing financing, training, tech-
19	nical assistance, information, and research to local non-
20	profits, local governments, and Indian Tribes serving high
21	need rural communities: Provided further, That of the
22	total amount provided under this heading, \$4,000,000
23	shall be made available for a program to rehabilitate and



24 modify the homes of disabled or low-income veterans, as

25 authorized under section 1079 of Public Law 113-291:

- 1 Provided further, That funds provided under the previous
- 2 proviso shall be awarded within 180 days of enactment
- 3 of this Act: Provided further, That funds provided for such
- 4 program in fiscal years 2016, 2017, and 2018 shall be
- 5 awarded within 60 days of enactment of this Act.
- 6 HOMELESS ASSISTANCE GRANTS
- 7 For the Emergency Solutions Grants program as au-
- 8 thorized under subtitle B of title IV of the McKinney-
- 9 Vento Homeless Assistance Act, as amended; the Con-
- 10 tinuum of Care program as authorized under subtitle C
- 11 of title IV of such Act; and the Rural Housing Stability
- 12 Assistance program as authorized under subtitle D of title
- 13 IV of such Act, \$2,636,000,000, to remain available until
- 14 September 30, 2021: Provided, That any rental assistance
- 15 amounts that are recaptured under such Continuum of
- 16 Care program shall remain available until expended: Pro-
- 17 vided further, That not less than \$280,000,000 of the
- 18 funds appropriated under this heading shall be available
- 19 for such Emergency Solutions Grants program: Provided
- 20 further, That not less than \$2,219,000,000 of the funds
- 21 appropriated under this heading shall be available for such
- 22 Continuum of Care and Rural Housing Stability Assist-
- 23 ance programs: Provided further, That of the amounts
- 24 made available under this heading, up to \$50,000,000
- 25 shall be made available for grants for rapid re-housing



1	projects and supportive service projects providing coordi-
2	nated entry, and for eligible activities the Secretary deter-
3	mines to be critical in order to assist survivors of domestic
4	violence, dating violence, and stalking: Provided further,
5	That such projects shall be eligible for renewal under the
6	continuum of care program subject to the same terms and
7	conditions as other renewal applicants: Provided further,
8	That up to \$7,000,000 of the funds appropriated under
9	this heading shall be available for the national homeless
10	data analysis project: Provided further, That all funds
11	awarded for supportive services under the Continuum of
12	Care program and the Rural Housing Stability Assistance
13	program shall be matched by not less than 25 percent in
14	cash or in kind by each grantee: Provided further, That
15	for all match requirements applicable to funds made avail-
16	able under this heading for this fiscal year and prior fiscal
17	years, a grantee may use (or could have used) as a source
18	of match funds other funds administered by the Secretary
19	and other Federal agencies unless there is (or was) a spe-
20	cific statutory prohibition on any such use of any such
21	funds: Provided further, That the Secretary shall collect
22	system performance measures for each continuum of care,
23	and that relative to fiscal year 2015, under the Continuum
24	of Care competition with respect to funds made available
25	under this heading, the Secretary shall base an increasing



1	share of the score on performance criteria: Provided fur-
2	ther, That none of the funds provided under this heading
3	shall be available to provide funding for new projects, ex-
4	cept for projects created through reallocation, unless the
5	Secretary determines that the continuum of care has dem-
6	onstrated that projects are evaluated and ranked based
7	on the degree to which they improve the continuum of
8	care's system performance: Provided further, That the
9	Secretary shall prioritize funding under the Continuum of
10	Care program to continuums of care that have dem-
11	onstrated a capacity to reallocate funding from lower per-
12	forming projects to higher performing projects: Provided
13	further, That all awards of assistance under this heading
14	shall be required to coordinate and integrate homeless pro-
15	grams with other mainstream health, social services, and
16	employment programs for which homeless populations
17	may be eligible: Provided further, That any unobligated
18	amounts remaining from funds appropriated under this
19	heading in fiscal year 2012 and prior years for project-
20	based rental assistance for rehabilitation projects with 10-
21	year grant terms may be used for purposes under this
22	heading, notwithstanding the purposes for which such
23	funds were appropriated: Provided further, That all bal-
24	ances for Shelter Plus Care renewals previously funded
25	from the Shelter Plus Care Renewel account and trans



1	ferred to this account shall be available, if recaptured, for
2	Continuum of Care renewals in fiscal year 2019: Provided
3	further, That the Department shall notify grantees of their
4	formula allocation from amounts allocated (which may
5	represent initial or final amounts allocated) for the Emer-
6	gency Solutions Grant program within 60 days of enact-
7	ment of this Act: Provided further, That up to
8	\$80,000,000 of the funds appropriated under this heading
9	shall be to implement projects to demonstrate how a com-
10	prehensive approach to serving homeless youth, age 24
11	and under, in up to 25 communities, including at least
12	eight communities with substantial rural populations, car
13	dramatically reduce youth homelessness: Provided further
14	That of the amount made available under the previous
15	proviso, up to \$5,000,000 shall be available to provide
16	technical assistance on youth homelessness, and collection
17	analysis, and reporting of data and performance measures
18	under the comprehensive approaches to serve homeless
19	youth, in addition to and in coordination with other tech-
20	nical assistance funds provided under this title: Provided
21	further, That such projects shall be eligible for renewal
22	under the continuum of care program subject to the same
23	terms and conditions as other renewal applicants: $Pro-$
24	vided further, That youth aged 24 and under seeking as-
25	sistance under this heading shall not be required to pro-



1	vide third party documentation to establish their eligibility
2	under 42 U.S.C. 11302(a) or (b) to receive services: Pro-
3	vided further, That unaccompanied youth aged 24 and
4	under or families headed by youth aged 24 and under who
5	are living in unsafe situations may be served by youth-
6	serving providers funded under this heading.
7	Housing Programs
8	PROJECT-BASED RENTAL ASSISTANCE
9	For activities and assistance for the provision of
10	project-based subsidy contracts under the United States
11	Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the
12	Act"), not otherwise provided for, \$11,347,000,000, to re-
13	main available until expended, shall be available on Octo-
14	ber 1, 2018 (in addition to the \$400,000,000 previously
15	appropriated under this heading that became available Oc-
16	tober 1, 2018), and \$400,000,000, to remain available
17	until expended, shall be available on October 1, 2019: $Pro-$
18	vided, That the amounts made available under this head-
19	ing shall be available for expiring or terminating section
20	8 project-based subsidy contracts (including section 8
21	moderate rehabilitation contracts), for amendments to sec-
22	tion 8 project-based subsidy contracts (including section
23	8 moderate rehabilitation contracts), for contracts entered
24	into pursuant to section 441 of the McKinney-Vento
25	Homeless Assistance Act (42 U.S.C. 11401), for renewal



1	of section	8	contracts	for	units	in	projects	that	are	subject
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- 2 to approved plans of action under the Emergency Low In-
- 3 come Housing Preservation Act of 1987 or the Low-In-
- 4 come Housing Preservation and Resident Homeownership
- 5 Act of 1990, and for administrative and other expenses
- 6 associated with project-based activities and assistance
- 7 funded under this paragraph: Provided further, That of
- 8 the total amounts provided under this heading, not to ex-
- 9 ceed \$245,000,000 shall be available for performance-
- 10 based contract administrators for section 8 project-based
- 11 assistance, for carrying out 42 U.S.C. 1437(f): Provided
- 12 further, That the Secretary may also use such amounts
- 13 in the previous proviso for performance-based contract ad-
- 14 ministrators for the administration of: interest reduction
- 15 payments pursuant to section 236(a) of the National
- 16 Housing Act (12 U.S.C. 1715z-1(a)); rent supplement
- 17 payments pursuant to section 101 of the Housing and
- 18 Urban Development Act of 1965 (12 U.S.C. 1701s); sec-
- 19 tion 236(f)(2) rental assistance payments (12 U.S.C.
- 20 1715z-1(f)(2)); project rental assistance contracts for the
- 21 elderly under section 202(c)(2) of the Housing Act of
- 22 1959 (12 U.S.C. 1701q); project rental assistance con-
- 23 tracts for supportive housing for persons with disabilities
- 24 under section 811(d)(2) of the Cranston-Gonzalez Na-
- 25 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));



1	project	assistance	contracts	pursuant	to	section	202(h)	of

- 2 the Housing Act of 1959 (Public Law 86–372; 73 Stat.
- 3 667); and loans under section 202 of the Housing Act of
- 4 1959 (Public Law 86-372; 73 Stat. 667): Provided fur-
- 5 ther, That amounts recaptured under this heading, the
- 6 heading "Annual Contributions for Assisted Housing", or
- 7 the heading "Housing Certificate Fund", may be used for
- 8 renewals of or amendments to section 8 project-based con-
- 9 tracts or for performance-based contract administrators,
- 10 notwithstanding the purposes for which such amounts
- 11 were appropriated: Provided further, That, notwith-
- 12 standing any other provision of law, upon the request of
- 13 the Secretary, project funds that are held in residual re-
- 14 ceipts accounts for any project subject to a section 8
- 15 project-based Housing Assistance Payments contract that
- 16 authorizes HUD or a Housing Finance Agency to require
- 17 that surplus project funds be deposited in an interest-
- 18 bearing residual receipts account and that are in excess
- 19 of an amount to be determined by the Secretary, shall be
- 20 remitted to the Department and deposited in this account,
- 21 to be available until expended: Provided further, That
- 22 amounts deposited pursuant to the previous proviso shall
- 23 be available in addition to the amount otherwise provided
- 24 by this heading for uses authorized under this heading.



1	HOUSING FOR THE ELDERLY
2	For capital advances, including amendments to cap-
3	ital advance contracts, for housing for the elderly, as au-
4	thorized by section 202 of the Housing Act of 1959, as
5	amended, for project rental assistance for the elderly
6	under section 202(c)(2) of such Act, including amend-
7	ments to contracts for such assistance and renewal of ex-
8	piring contracts for such assistance for up to a 1-year
9	term, for senior preservation rental assistance contracts,
10	including renewals, as authorized by section 811(e) of the
11	American Housing and Economic Opportunity Act of
12	2000, as amended, and for supportive services associated
13	with the housing, \$678,000,000, to remain available until
14	September 30, 2022: Provided, That of the amount pro-
15	vided under this heading, up to \$90,000,000 shall be for
16	service coordinators and the continuation of existing con-
17	gregate service grants for residents of assisted housing
18	projects: Provided further, That amounts under this head-
19	ing shall be available for Real Estate Assessment Center
20	inspections and inspection-related activities associated
21	with section 202 projects: Provided further, That the Sec-
22	retary may waive the provisions of section 202 governing
23	the terms and conditions of project rental assistance, ex-
24	cept that the initial contract term for such assistance shall
25	not exceed 5 years in duration: Provided further. That



1	upon request of the Secretary, project funds that are held
2	in residual receipts accounts for any project subject to a
3	section 202 project rental assistance contract and, upon
4	termination of such contract, are in excess of an amount
5	to be determined by the Secretary shall be remitted to the
6	Department and deposited in this account, to remain
7	available until September 30, 2022: Provided further, That
8	amounts deposited in this account pursuant to the pre-
9	vious proviso shall be available, in addition to the amounts
10	otherwise provided by this heading, for amendments and
11	renewals: Provided further, That unobligated balances, in-
12	cluding recaptures and carryover, remaining from funds
13	transferred to or appropriated under this heading shall be
14	available for amendments and renewals in addition to the
15	purposes for which such funds originally were appro-
16	priated: Provided further, That of the total amount pro-
17	vided under this heading, \$10,000,000, shall be for a pro-
18	gram to be established by the Secretary to make grants
19	to experienced non-profit organizations, States, local gov-
20	ernments, or public housing agencies for safety and func-
21	tional home modification repairs to meet the needs of low-
22	income elderly persons to enable them to remain in their
23	primary residence: Provided further, That of the total
24	amount made available under the previous proviso, no less



- 1 than \$5,000,000 shall be available to meet such needs in
- 2 communities with substantial rural populations.
- 3 HOUSING FOR PERSONS WITH DISABILITIES
- 4 For capital advances, including amendments to cap-
- 5 ital advance contracts, for supportive housing for persons
- 6 with disabilities, as authorized by section 811 of the Cran-
- 7 ston-Gonzalez National Affordable Housing Act (42
- 8 U.S.C. 8013), as amended, for project rental assistance
- 9 for supportive housing for persons with disabilities under
- 10 section 811(d)(2) of such Act, for project assistance con-
- 11 tracts pursuant to section 202(h) of the Housing Act of
- 12 1959 (Public Law 86-372; 73 Stat. 667), including
- 13 amendments to contracts for such assistance and renewal
- 14 of expiring contracts for such assistance for up to a 1-
- 15 year term, for project rental assistance to State housing
- 16 finance agencies and other appropriate entities as author-
- 17 ized under section 811(b)(3) of the Cranston-Gonzalez
- 18 National Housing Act, and for supportive services associ-
- 19 ated with the housing for persons with disabilities as au-
- 20 thorized by section 811(b)(1) of such Act, \$184,155,000,
- 21 to remain available until September 30, 2022, of which
- 22 \$30,155,000 shall be for capital advance and project rent-
- 23 al assistance awards: Provided, That amounts made avail-
- 24 able under this heading shall be available for Real Estate
- 25 Assessment Center inspections and inspection-related ac-



- 1 tivities associated with section 811 projects: Provided fur-
- 2 ther, That, upon the request of the Secretary, project
- 3 funds that are held in residual receipts accounts for any
- 4 project subject to a section 811 project rental assistance
- 5 contract and, upon termination of such contract, are in
- 6 excess of an amount to be determined by the Secretary
- 7 shall be remitted to the Department and deposited in this
- 8 account, to remain available until September 30, 2022:
- 9 Provided further, That amounts deposited in this account
- 10 pursuant to the previous proviso shall be available in addi-
- 11 tion to the amounts otherwise provided by this heading
- 12 for amendments and renewals: Provided further, That un-
- 13 obligated balances, including recaptures and carryover, re-
- 14 maining from funds transferred to or appropriated under
- 15 this heading shall be used for amendments and renewals
- 16 in addition to the purposes for which such funds originally
- 17 were appropriated.
- 18 HOUSING COUNSELING ASSISTANCE
- 19 For contracts, grants, and other assistance excluding
- 20 loans, as authorized under section 106 of the Housing and
- 21 Urban Development Act of 1968, as amended,
- 22 \$50,000,000, to remain available until September 30,
- 23 2020, including up to \$4,500,000 for administrative con-
- 24 tract services: *Provided*, That grants made available from
- 25 amounts provided under this heading shall be awarded



- 1 within 180 days of enactment of this Act: Provided further,
- 2 That funds shall be used for providing counseling and ad-
- 3 vice to tenants and homeowners, both current and pro-
- 4 spective, with respect to property maintenance, financial
- 5 management or literacy, and such other matters as may
- 6 be appropriate to assist them in improving their housing
- 7 conditions, meeting their financial needs, and fulfilling the
- 8 responsibilities of tenancy or homeownership; for program
- 9 administration; and for housing counselor training: Pro-
- 10 vided further, That for purposes of providing such grants
- 11 from amounts provided under this heading, the Secretary
- 12 may enter into multiyear agreements, as appropriate, sub-
- 13 ject to the availability of annual appropriations.
- 14 RENTAL HOUSING ASSISTANCE
- For amendments to contracts under section 101 of
- 16 the Housing and Urban Development Act of 1965 (12
- 17 U.S.C. 1701s) and section 236(f)(2) of the National
- 18 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-
- 19 insured rental housing projects, \$5,000,000, to remain
- 20 available until expended: Provided, That such amount, to-
- 21 gether with unobligated balances from recaptured
- amounts appropriated prior to fiscal year 2006 from ter-
- 23 minated contracts under such sections of law, and any un-
- 24 obligated balances, including recaptures and carryover, re-
- 25 maining from funds appropriated under this heading after



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- 2 up to one year for expiring contracts under such sections
- 3 of law.
- 4 PAYMENT TO MANUFACTURED HOUSING FEES TRUST
- 5 FUND
- 6 For necessary expenses as authorized by the National
- 7 Manufactured Housing Construction and Safety Stand-
- 8 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
- 9 \$12,000,000, to remain available until expended, of which
- 10 \$12,000,000 is to be derived from the Manufactured
- 11 Housing Fees Trust Fund: Provided, That not to exceed
- 12 the total amount appropriated under this heading shall be
- 13 available from the general fund of the Treasury to the ex-
- 14 tent necessary to incur obligations and make expenditures
- 15 pending the receipt of collections to the Fund pursuant
- 16 to section 620 of such Act: Provided further, That the
- 17 amount made available under this heading from the gen-
- 18 eral fund shall be reduced as such collections are received
- 19 during fiscal year 2019 so as to result in a final fiscal
- 20 year 2019 appropriation from the general fund estimated
- 21 at zero, and fees pursuant to such section 620 shall be
- 22 modified as necessary to ensure such a final fiscal year
- 23 2019 appropriation: Provided further, That for the dispute
- 24 resolution and installation programs, the Secretary of
- 25 Housing and Urban Development may assess and collect



- 1 fees from any program participant: Provided further, That
- 2 such collections shall be deposited into the Fund, and the
- 3 Secretary, as provided herein, may use such collections,
- 4 as well as fees collected under section 620, for necessary
- 5 expenses of such Act: Provided further, That, notwith-
- 6 standing the requirements of section 620 of such Act, the
- 7 Secretary may carry out responsibilities of the Secretary
- 8 under such Act through the use of approved service pro-
- 9 viders that are paid directly by the recipients of their serv-
- 10 ices.
- 11 Federal Housing Administration
- 12 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT
- New commitments to guarantee single family loans
- 14 insured under the Mutual Mortgage Insurance Fund shall
- 15 not exceed \$400,000,000,000, to remain available until
- 16 September 30, 2020: Provided, That during fiscal year
- 17 2019, obligations to make direct loans to carry out the
- 18 purposes of section 204(g) of the National Housing Act,
- 19 as amended, shall not exceed \$1,000,000: Provided fur-
- 20 ther, That the foregoing amount in the previous proviso
- 21 shall be for loans to nonprofit and governmental entities
- 22 in connection with sales of single family real properties
- 23 owned by the Secretary and formerly insured under the
- 24 Mutual Mortgage Insurance Fund: Provided further, That
- 25 for administrative contract expenses of the Federal Hous-



1	ing	Administration,	\$130,000,000,	to	remain	available

- 2 until September 30, 2020: Provided further, That to the
- 3 extent guaranteed loan commitments exceed
- 4 \$200,000,000,000 on or before April 1, 2019, an addi-
- 5 tional \$1,400 for administrative contract expenses shall be
- 6 available for each \$1,000,000 in additional guaranteed
- 7 loan commitments (including a pro rata amount for any
- 8 amount below \$1,000,000), but in no case shall funds
- 9 made available by this proviso exceed \$30,000,000: Pro-
- 10 vided further, That notwithstanding the limitation in the
- 11 first sentence of section 255(g) of the National Housing
- 12 Act (12 U.S.C. 1715z–20(g)), during fiscal year 2019 the
- 13 Secretary may insure and enter into new commitments to
- 14 insure mortgages under section 255 of the National Hous-
- 15 ing Act only to the extent that the net credit subsidy cost
- 16 for such insurance does not exceed zero: Provided further,
- 17 That for fiscal year 2019, the Secretary shall not take any
- 18 action against a lender solely on the basis of compare ra-
- 19 tios that have been adversely affected by defaults on mort-
- 20 gages secured by properties in areas where a major dis-
- 21 aster was declared in 2017 or 2018 pursuant to the Rob-
- 22 ert T. Stafford Disaster Relief and Emergency Assistance
- 23 Act (42 U.S.C. 5121 et seq.).



1	GENERAL AND SPECIAL RISK PROGRAM ACCOUNT
2	New commitments to guarantee loans insured under
3	the General and Special Risk Insurance Funds, as author-
4	ized by sections 238 and 519 of the National Housing Act
5	(12 U.S.C. 1715z–3 and 1735c), shall not exceed
6	\$30,000,000,000 in total loan principal, any part of which
7	is to be guaranteed, to remain available until September
8	30, 2020: Provided, That during fiscal year 2019, gross
9	obligations for the principal amount of direct loans, as au-
10	thorized by sections 204(g), 207(l), 238, and 519(a) of
11	the National Housing Act, shall not exceed \$1,000,000,
12	which shall be for loans to nonprofit and governmental en-
13	tities in connection with the sale of single family real prop-
14	erties owned by the Secretary and formerly insured under
15	such Act.
16	GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
17	GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
18	GUARANTEE PROGRAM ACCOUNT
19	New commitments to issue guarantees to carry out
20	the purposes of section 306 of the National Housing Act,
21	as amended (12 U.S.C. 1721(g)), shall not exceed
22	\$550,000,000,000, to remain available until September
23	30, 2020: Provided, That \$27,000,000, to remain avail-
24	able until September 30, 2020, shall be for necessary sala-
25	ries and expenses of the Office of Government National



1	Mortgage Association: Provided further, That to the extent
2	that guaranteed loan commitments exceed
3	\$155,000,000,000 on or before April 1, 2019, an addi-
4	tional \$100 for necessary salaries and expenses shall be
5	available until expended for each \$1,000,000 in additional
6	guaranteed loan commitments (including a pro rata
7	amount for any amount below \$1,000,000), but in no case
8	shall funds made available by this proviso exceed
9	\$3,000,000: Provided further, That receipts from Commit-
10	ment and Multiclass fees collected pursuant to title III of
11	the National Housing Act, as amended, shall be credited
12	as offsetting collections to this account.
13	POLICY DEVELOPMENT AND RESEARCH
14	RESEARCH AND TECHNOLOGY
15	For contracts, grants, and necessary expenses of pro-
16	grams of research and studies relating to housing and
17	urban problems, not otherwise provided for, as authorized
18	by title V of the Housing and Urban Development Act
19	of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
20	out the functions of the Secretary of Housing and Urban
21	Development under section 1(a)(1)(i) of Reorganization
22	Plan No. 2 of 1968, and for technical assistance
23	\$96,000,000, to remain available until September 30
24	2020: Provided, That with respect to amounts made avail-
25	able under this heading, notwithstanding section 203 of



1	this title, the Secretary may enter into cooperative agree-
2	ments funded with philanthropic entities, other Federal
3	agencies, State or local governments and their agencies,
4	or colleges or universities for research projects: Provided
5	further, That with respect to the previous proviso, such
6	partners to the cooperative agreements must contribute at
7	least a 50 percent match toward the cost of the project:
8	Provided further, That for non-competitive agreements en-
9	tered into in accordance with the previous two provisos,
10	the Secretary of Housing and Urban Development shall
11	comply with section 2(b) of the Federal Funding Account-
12	ability and Transparency Act of 2006 (Public Law 109–
13	282, 31 U.S.C. note) in lieu of compliance with section
14	102(a)(4)(C) with respect to documentation of award deci-
15	sions: Provided further, That prior to obligation of tech-
16	nical assistance funding, the Secretary shall submit a
17	plan, for approval, to the House and Senate Committees
18	on Appropriations on how it will allocate funding for this
19	activity: Provided further, That none of the funds provided
20	under this heading may be available for the doctoral dis-
21	sertation research grant program.
22	FAIR HOUSING AND EQUAL OPPORTUNITY
23	FAIR HOUSING ACTIVITIES
24	For contracts, grants, and other assistance, not oth-
25	erwise provided for as authorized by title VIII of the Civil



1	Rights Act of 1968, as amended by the Fair Housing
2	Amendments Act of 1988, and section 561 of the Housing
3	and Community Development Act of 1987, as amended,
4	\$65,300,000, to remain available until September 30,
5	2020: Provided, That notwithstanding 31 U.S.C. 3302,
6	the Secretary may assess and collect fees to cover the costs
7	of the Fair Housing Training Academy, and may use such
8	funds to develop on-line courses and provide such training:
9	Provided further, That no funds made available under this
10	heading shall be used to lobby the executive or legislative
11	branches of the Federal Government in connection with
12	a specific contract, grant, or loan: $Provided\ further,\ That$
13	of the funds made available under this heading, $\$300,000$
14	shall be available to the Secretary of Housing and Urban
15	Development for the creation and promotion of translated
16	materials and other programs that support the assistance
17	of persons with limited English proficiency in utilizing the
18	services provided by the Department of Housing and
19	Urban Development.
20	OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
21	Homes
22	LEAD HAZARD REDUCTION
23	For the Lead Hazard Reduction Program, as author-
24	ized by section 1011 of the Residential Lead-Based Paint
25	Hazard Reduction Act of 1992 \$279,000,000 to remain



1	available until September 30, 2020, of which \$45,000,000
2	shall be for the Healthy Homes Initiative, pursuant to sec-
3	tions 501 and 502 of the Housing and Urban Develop-
4	ment Act of 1970, which shall include research, studies,
5	testing, and demonstration efforts, including education
6	and outreach concerning lead-based paint poisoning and
7	other housing-related diseases and hazards: $Provided$,
8	That for purposes of environmental review, pursuant to
9	the National Environmental Policy Act of 1969 (42 U.S.C.
10	4321 et seq.) and other provisions of law that further the
11	purposes of such Act, a grant under the Healthy Homes
12	Initiative, or the Lead Technical Studies program under
13	this heading or under prior appropriations Acts for such
14	purposes under this heading, shall be considered to be
15	funds for a special project for purposes of section $305(c)$
16	of the Multifamily Housing Property Disposition Reform
17	Act of 1994: Provided further, That not less than
18	\$95,000,000 of the amounts made available under this
19	heading for the award of grants pursuant to section 1011
20	of the Residential Lead-Based Paint Hazard Reduction
21	Act of 1992 shall be provided to areas with the highest
22	lead-based paint abatement needs: Provided further, That
23	\$64,000,000 of the funds appropriated under this heading
24	shall be for the implementation of projects to demonstrate
25	how intensive, extended multi-year interventions can dra-



1	matically reduce the presence of lead-based paint hazards
2	in communities containing high concentrations of both
3	pre-1940 housing and low-income families by achieving
4	economies of scale that substantially reduce the cost of
5	lead-based paint remediation activities and administrative
6	costs for grantees: Provided further, That such projects
7	in each of seven communities shall be for five years and
8	serve no more than four contiguous census tracts in which
9	there are high concentrations of housing stock built before
10	1940, in which low-income families with children make up
11	a significantly higher proportion of the population as com-
12	pared to the State average, and that are located in juris-
13	dictions in which instances of elevated blood lead levels
14	reported to the State are significantly higher than the
15	State average: Provided further, That funding awarded for
16	such projects shall be made available for draw down con-
17	tingent upon the grantee meeting cost-savings, produc-
18	tivity, and grant compliance benchmarks established by
19	the Secretary: Provided further, That each recipient of
20	funds for such projects shall contribute an amount not less
21	than 10 percent of the total award, and that the Secretary
22	shall give priority to applicants that secure commitments
23	for additional contributions from public and private
24	sources: Provided further, That grantees currently receiv-
25	ing grants made under this heading shall be eligible to



- 1 apply for such projects, provided that they are deemed to
- 2 be in compliance with program requirements established
- 3 by the Secretary: Provided further, That each applicant
- 4 shall certify adequate capacity that is acceptable to the
- 5 Secretary to carry out the proposed use of funds pursuant
- 6 to a notice of funding availability: Provided further, That
- 7 amounts made available under this heading in this or prior
- 8 appropriations Acts, still remaining available, may be used
- 9 for any purpose under this heading notwithstanding the
- 10 purpose for which such amounts were appropriated if a
- 11 program competition is undersubscribed and there are
- 12 other program competitions under this heading that are
- 13 oversubscribed.
- 14 Information Technology Fund
- 15 For the development, modernization, and enhance-
- 16 ment of, modifications to, and infrastructure for Depart-
- 17 ment-wide and program-specific information technology
- 18 systems, for the continuing operation and maintenance of
- 19 both Department-wide and program-specific information
- 20 systems, and for program-related maintenance activities,
- 21 \$280,000,000, of which \$260,000,000 shall remain avail-
- 22 able until September 30, 2020, and of which \$20,000,000
- 23 shall remain available until September 30, 2021: Provided,
- 24 That any amounts transferred to this Fund under this Act
- 25 shall remain available until expended: Provided further,



- 1 That any amounts transferred to this Fund from amounts
- 2 appropriated by previously enacted appropriations Acts
- 3 may be used for the purposes specified under this Fund,
- 4 in addition to any other information technology purposes
- 5 for which such amounts were appropriated: Provided fur-
- 6 ther, That not more than 10 percent of the funds made
- 7 available under this heading for development, moderniza-
- 8 tion and enhancement may be obligated until the Sec-
- 9 retary submits to the House and Senate Committees on
- 10 Appropriations, for approval, a plan for expenditure
- 11 that—(A) identifies for each modernization project: (i) the
- 12 functional and performance capabilities to be delivered
- 13 and the mission benefits to be realized, (ii) the estimated
- 14 life-cycle cost, and (iii) key milestones to be met; and (B)
- 15 demonstrates that each modernization project is: (i) com-
- 16 pliant with the Department's enterprise architecture, (ii)
- 17 being managed in accordance with applicable life-cycle
- 18 management policies and guidance, (iii) subject to the De-
- 19 partment's capital planning and investment control re-
- 20 quirements, and (iv) supported by an adequately staffed
- 21 project office.
- 22 Office of Inspector General
- For necessary salaries and expenses of the Office of
- 24 Inspector General in carrying out the Inspector General
- 25 Act of 1978, as amended, \$128,082,000: Provided, That



1	the Inspector General shall have independent authority
2	over all personnel issues within this office.
3	GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
4	Urban Development
5	(INCLUDING TRANSFER OF FUNDS)
6	(INCLUDING RESCISSIONS)
7	Sec. 201. Fifty percent of the amounts of budget au-
8	thority, or in lieu thereof 50 percent of the cash amounts
9	associated with such budget authority, that are recaptured
10	from projects described in section 1012(a) of the Stewart
11	B. McKinney Homeless Assistance Amendments Act of
12	1988 (42 U.S.C. 1437f note) shall be rescinded or in the
13	case of cash, shall be remitted to the Treasury, and such
14	amounts of budget authority or cash recaptured and not
15	rescinded or remitted to the Treasury shall be used by
16	State housing finance agencies or local governments or
17	local housing agencies with projects approved by the Sec-
18	retary of Housing and Urban Development for which set-
19	tlement occurred after January 1, 1992, in accordance
20	with such section. Notwithstanding the previous sentence,
21	the Secretary may award up to 15 percent of the budget
22	authority or cash recaptured and not rescinded or remitted
23	to the Treasury to provide project owners with incentives
24	to refinance their project at a lower interest rate.



- 1 Sec. 202. None of the amounts made available under
- 2 this Act may be used during fiscal year 2019 to investigate
- 3 or prosecute under the Fair Housing Act any otherwise
- 4 lawful activity engaged in by one or more persons, includ-
- 5 ing the filing or maintaining of a nonfrivolous legal action,
- 6 that is engaged in solely for the purpose of achieving or
- 7 preventing action by a Government official or entity, or
- 8 a court of competent jurisdiction.
- 9 Sec. 203. Except as explicitly provided in law, any
- 10 grant, cooperative agreement or other assistance made
- 11 pursuant to title II of this Act shall be made on a competi-
- 12 tive basis and in accordance with section 102 of the De-
- 13 partment of Housing and Urban Development Reform Act
- 14 of 1989 (42 U.S.C. 3545).
- 15 Sec. 204. Funds of the Department of Housing and
- 16 Urban Development subject to the Government Corpora-
- 17 tion Control Act or section 402 of the Housing Act of
- 18 1950 shall be available, without regard to the limitations
- 19 on administrative expenses, for legal services on a contract
- 20 or fee basis, and for utilizing and making payment for
- 21 services and facilities of the Federal National Mortgage
- 22 Association, Government National Mortgage Association,
- 23 Federal Home Loan Mortgage Corporation, Federal Fi-
- 24 nancing Bank, Federal Reserve banks or any member
- 25 thereof, Federal Home Loan banks, and any insured bank



- 1 within the meaning of the Federal Deposit Insurance Cor-
- 2 poration Act, as amended (12 U.S.C. 1811–1).
- 3 Sec. 205. Unless otherwise provided for in this Act
- 4 or through a reprogramming of funds, no part of any ap-
- 5 propriation for the Department of Housing and Urban
- 6 Development shall be available for any program, project
- 7 or activity in excess of amounts set forth in the budget
- 8 estimates submitted to Congress.
- 9 Sec. 206. Corporations and agencies of the Depart-
- 10 ment of Housing and Urban Development which are sub-
- 11 ject to the Government Corporation Control Act are here-
- 12 by authorized to make such expenditures, within the limits
- 13 of funds and borrowing authority available to each such
- 14 corporation or agency and in accordance with law, and to
- 15 make such contracts and commitments without regard to
- 16 fiscal year limitations as provided by section 104 of such
- 17 Act as may be necessary in carrying out the programs set
- 18 forth in the budget for 2019 for such corporation or agen-
- 19 cy except as hereinafter provided: Provided, That collec-
- 20 tions of these corporations and agencies may be used for
- 21 new loan or mortgage purchase commitments only to the
- 22 extent expressly provided for in this Act (unless such loans
- 23 are in support of other forms of assistance provided for
- 24 in this or prior appropriations Acts), except that this pro-
- 25 viso shall not apply to the mortgage insurance or guaranty



- 1 operations of these corporations, or where loans or mort-
- 2 gage purchases are necessary to protect the financial in-
- 3 terest of the United States Government.
- 4 Sec. 207. The Secretary of Housing and Urban De-
- 5 velopment shall provide quarterly reports to the House
- 6 and Senate Committees on Appropriations regarding all
- 7 uncommitted, unobligated, recaptured and excess funds in
- 8 each program and activity within the jurisdiction of the
- 9 Department and shall submit additional, updated budget
- 10 information to these Committees upon request.
- 11 Sec. 208. The President's formal budget request for
- 12 fiscal year 2020, as well as the Department of Housing
- 13 and Urban Development's congressional budget justifica-
- 14 tions to be submitted to the Committees on Appropriations
- 15 of the House of Representatives and the Senate, shall use
- 16 the identical account and sub-account structure provided
- 17 under this Act.
- 18 Sec. 209. No funds provided under this title may be
- 19 used for an audit of the Government National Mortgage
- 20 Association that makes applicable requirements under the
- 21 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).
- Sec. 210. (a) Notwithstanding any other provision
- 23 of law, subject to the conditions listed under this section,
- 24 for fiscal years 2019 and 2020, the Secretary of Housing
- 25 and Urban Development may authorize the transfer of



1	some or all project-based assistance, debt held or insured
2	by the Secretary and statutorily required low-income and
3	very low-income use restrictions if any, associated with one
4	or more multifamily housing project or projects to another
5	multifamily housing project or projects.
6	(b) Phased Transfers.—Transfers of project-
7	based assistance under this section may be done in phases
8	to accommodate the financing and other requirements re-
9	lated to rehabilitating or constructing the project or
10	projects to which the assistance is transferred, to ensure
11	that such project or projects meet the standards under
12	subsection (c).
13	(c) The transfer authorized in subsection (a) is sub-
14	ject to the following conditions:
15	(1) Number and bedroom size of units.—
16	(A) For occupied units in the transferring
17	project: The number of low-income and very
18	low-income units and the configuration (i.e.,
19	bedroom size) provided by the transferring
20	project shall be no less than when transferred
21	to the receiving project or projects and the net
22	dollar amount of Federal assistance provided to
23	the transferring project shall remain the same
24	in the receiving project or projects.



1	(B) For unoccupied units in the transfer-
2	ring project: The Secretary may authorize a re-
3	duction in the number of dwelling units in the
4	receiving project or projects to allow for a re-
5	configuration of bedroom sizes to meet current
6	market demands, as determined by the Sec-
7	retary and provided there is no increase in the
8	project-based assistance budget authority.
9	(2) The transferring project shall, as deter-
10	mined by the Secretary, be either physically obsolete
11	or economically nonviable.
12	(3) The receiving project or projects shall meet
13	or exceed applicable physical standards established
14	by the Secretary.
15	(4) The owner or mortgagor of the transferring
16	project shall notify and consult with the tenants re-
17	siding in the transferring project and provide a cer-
18	tification of approval by all appropriate local govern-
19	mental officials.
20	(5) The tenants of the transferring project who
21	remain eligible for assistance to be provided by the
22	receiving project or projects shall not be required to
23	vacate their units in the transferring project or
24	projects until new units in the receiving project are



25

available for occupancy.

	(6)	The	Secretary	determines	that	this	transfer
is in	the	best	interest o	f the tenant	s.		

- (7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.
- (8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.
- (9) The transfer does not increase the cost (as defined in section 502 of the Congressional Budget Act of 1974, as amended) of any FHA-insured mortgage, except to the extent that appropriations



1	are provided in advance for the amount of any such
2	increased cost.
3	(d) For purposes of this section—
4	(1) the terms "low-income" and "very low-in-
5	come" shall have the meanings provided by the stat-
6	ute and/or regulations governing the program under
7	which the project is insured or assisted;
8	(2) the term "multifamily housing project"
9	means housing that meets one of the following con-
10	ditions—
11	(A) housing that is subject to a mortgage
12	insured under the National Housing Act;
13	(B) housing that has project-based assist-
14	ance attached to the structure including
15	projects undergoing mark to market debt re-
16	structuring under the Multifamily Assisted
17	Housing Reform and Affordability Housing Act
18	(C) housing that is assisted under section
19	202 of the Housing Act of 1959, as amended
20	by section 801 of the Cranston-Gonzales Na-
21	tional Affordable Housing Act;
22	(D) housing that is assisted under section
23	202 of the Housing Act of 1959, as such sec-
24	tion existed before the enactment of the Cran-
25	ston Conzolos National Affordable Housing Act



1	(E) housing that is assisted under section
2	811 of the Cranston-Gonzales National Afford-
3	able Housing Act; or
4	(F) housing or vacant land that is subject
5	to a use agreement;
6	(3) the term "project-based assistance"
7	means—
8	(A) assistance provided under section 8(b)
9	of the United States Housing Act of 1937;
10	(B) assistance for housing constructed or
11	substantially rehabilitated pursuant to assist-
12	ance provided under section 8(b)(2) of such Act
13	(as such section existed immediately before Oc-
14	tober 1, 1983);
15	(C) rent supplement payments under sec-
16	tion 101 of the Housing and Urban Develop-
17	ment Act of 1965;
18	(D) interest reduction payments under sec-
19	tion 236 and/or additional assistance payments
20	under section 236(f)(2) of the National Hous-
21	ing Act;
22	(E) assistance payments made under sec-
23	tion $202(e)(2)$ of the Housing Act of 1959; and



1	(F) assistance payments made under sec-
2	tion 811(d)(2) of the Cranston-Gonzalez Na-
3	tional Affordable Housing Act;
4	(4) the term "receiving project or projects"
5	means the multifamily housing project or projects to
6	which some or all of the project-based assistance,
7	debt, and statutorily required low-income and very
8	low-income use restrictions are to be transferred;
9	(5) the term "transferring project" means the
10	multifamily housing project which is transferring
11	some or all of the project-based assistance, debt, and
12	the statutorily required low-income and very low-in-
13	come use restrictions to the receiving project or
14	projects; and
15	(6) the term "Secretary" means the Secretary
16	of Housing and Urban Development.
17	(e) Research Report.—The Secretary shall con-
18	duct an evaluation of the transfer authority under this sec-
19	tion, including the effect of such transfers on the oper-
20	ational efficiency, contract rents, physical and financial
21	conditions, and long-term preservation of the affected
22	properties.
23	Sec. 211. (a) No assistance shall be provided under
24	section 8 of the United States Housing Act of 1937 (42
25	U.S.C. 1437f) to any individual who—



1	(1) is enrolled as a student at an institution of
2	higher education (as defined under section 102 of
3	the Higher Education Act of 1965 (20 U.S.C.
4	1002));
5	(2) is under 24 years of age;
6	(3) is not a veteran;
7	(4) is unmarried;
8	(5) does not have a dependent child;
9	(6) is not a person with disabilities, as such
10	term is defined in section 3(b)(3)(E) of the United
11	States Housing Act of 1937 (42 U.S.C.
12	1437a(b)(3)(E)) and was not receiving assistance
13	under such section 8 as of November 30, 2005;
14	(7) is not a youth who left foster care at age
15	14 or older and is at risk of becoming homeless; and
16	(8) is not otherwise individually eligible, or has
17	parents who, individually or jointly, are not eligible,
18	to receive assistance under section 8 of the United
19	States Housing Act of 1937 (42 U.S.C. 1437f).
20	(b) For purposes of determining the eligibility of a
21	person to receive assistance under section 8 of the United
22	States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
23	cial assistance (in excess of amounts received for tuition
24	and any other required fees and charges) that an indi-
25	vidual receives under the Higher Education Act of 1965



- 1 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
- 2 tution of higher education (as defined under the Higher
- 3 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-
- 4 ered income to that individual, except for a person over
- 5 the age of 23 with dependent children.
- 6 Sec. 212. The funds made available for Native Alas-
- 7 kans under the heading "Native American Housing Block
- 8 Grants" in title II of this Act shall be allocated to the
- 9 same Native Alaskan housing block grant recipients that
- 10 received funds in fiscal year 2005.
- 11 Sec. 213. Notwithstanding any other provision of
- 12 law, in fiscal year 2019, in managing and disposing of any
- 13 multifamily property that is owned or has a mortgage held
- 14 by the Secretary of Housing and Urban Development, and
- 15 during the process of foreclosure on any property with a
- 16 contract for rental assistance payments under section 8
- 17 of the United States Housing Act of 1937 or other Fed-
- 18 eral programs, the Secretary shall maintain any rental as-
- 19 sistance payments under section 8 of the United States
- 20 Housing Act of 1937 and other programs that are at-
- 21 tached to any dwelling units in the property. To the extent
- 22 the Secretary determines, in consultation with the tenants
- 23 and the local government, that such a multifamily prop-
- 24 erty owned or held by the Secretary is not feasible for con-
- 25 tinued rental assistance payments under such section 8



- 1 or other programs, based on consideration of (1) the costs
- 2 of rehabilitating and operating the property and all avail-
- 3 able Federal, State, and local resources, including rent ad-
- 4 justments under section 524 of the Multifamily Assisted
- 5 Housing Reform and Affordability Act of 1997
- 6 ("MAHRAA") and (2) environmental conditions that can-
- 7 not be remedied in a cost-effective fashion, the Secretary
- 8 may, in consultation with the tenants of that property,
- 9 contract for project-based rental assistance payments with
- 10 an owner or owners of other existing housing properties,
- 11 or provide other rental assistance. The Secretary shall also
- 12 take appropriate steps to ensure that project-based con-
- 13 tracts remain in effect prior to foreclosure, subject to the
- 14 exercise of contractual abatement remedies to assist relo-
- 15 cation of tenants for imminent major threats to health and
- 16 safety after written notice to and informed consent of the
- 17 affected tenants and use of other available remedies, such
- 18 as partial abatements or receivership. After disposition of
- 19 any multifamily property described under this section, the
- 20 contract and allowable rent levels on such properties shall
- 21 be subject to the requirements under section 524 of
- 22 MAHRAA.
- 23 Sec. 214. The commitment authority funded by fees
- 24 as provided under the heading "Community Development
- 25 Loan Guarantees Program Account" may be used to guar-



- 1 antee, or make commitments to guarantee, notes, or other
- 2 obligations issued by any State on behalf of non-entitle-
- 3 ment communities in the State in accordance with the re-
- 4 quirements of section 108 of the Housing and Community
- 5 Development Act of 1974: Provided, That any State re-
- 6 ceiving such a guarantee or commitment shall distribute
- 7 all funds subject to such guarantee to the units of general
- 8 local government in non-entitlement areas that received
- 9 the commitment.
- 10 Sec. 215. Public housing agencies that own and oper-
- 11 ate 400 or fewer public housing units may elect to be ex-
- 12 empt from any asset management requirement imposed by
- 13 the Secretary of Housing and Urban Development in con-
- 14 nection with the operating fund rule: Provided, That an
- 15 agency seeking a discontinuance of a reduction of subsidy
- 16 under the operating fund formula shall not be exempt
- 17 from asset management requirements.
- 18 Sec. 216. With respect to the use of amounts pro-
- 19 vided in this Act and in future Acts for the operation, cap-
- 20 ital improvement and management of public housing as
- 21 authorized by sections 9(d) and 9(e) of the United States
- 22 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the
- 23 Secretary shall not impose any requirement or guideline
- 24 relating to asset management that restricts or limits in
- 25 any way the use of capital funds for central office costs



- 1 pursuant to section 9(g)(1) or 9(g)(2) of the United States
- 2 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Pro-
- 3 vided, That a public housing agency may not use capital
- 4 funds authorized under section 9(d) for activities that are
- 5 eligible under section 9(e) for assistance with amounts
- 6 from the operating fund in excess of the amounts per-
- 7 mitted under section 9(g)(1) or 9(g)(2).
- 8 Sec. 217. No official or employee of the Department
- 9 of Housing and Urban Development shall be designated
- 10 as an allotment holder unless the Office of the Chief Fi-
- 11 nancial Officer has determined that such allotment holder
- 12 has implemented an adequate system of funds control and
- 13 has received training in funds control procedures and di-
- 14 rectives. The Chief Financial Officer shall ensure that
- 15 there is a trained allotment holder for each HUD appro-
- 16 priation under the accounts "Executive Offices" and "Ad-
- 17 ministrative Support Offices," as well as each account re-
- 18 ceiving appropriations under the general heading "Pro-
- 19 gram Office Salaries and Expenses", "Government Na-
- 20 tional Mortgage Association—Guarantees of Mortgage-
- 21 Backed Securities Loan Guarantee Program Account",
- 22 and "Office of Inspector General" within the Department
- 23 of Housing and Urban Development.
- 24 Sec. 218. The Secretary of the Department of Hous-
- 25 ing and Urban Development shall, for fiscal year 2019,



- 1 notify the public through the Federal Register and other
- 2 means, as determined appropriate, of the issuance of a no-
- 3 tice of the availability of assistance or notice of funding
- 4 availability (NOFA) for any program or discretionary
- 5 fund administered by the Secretary that is to be competi-
- 6 tively awarded. Notwithstanding any other provision of
- 7 law, for fiscal year 2019, the Secretary may make the
- 8 NOFA available only on the Internet at the appropriate
- 9 Government web site or through other electronic media,
- 10 as determined by the Secretary.
- 11 Sec. 219. Payment of attorney fees in program-re-
- 12 lated litigation shall be paid from the individual program
- 13 office and Office of General Counsel salaries and expenses
- 14 appropriations. The annual budget submission for the pro-
- 15 gram offices and the Office of General Counsel shall in-
- 16 clude any such projected litigation costs for attorney fees
- 17 as a separate line item request. No funds provided in this
- 18 title may be used to pay any such litigation costs for attor-
- 19 ney fees until the Department submits for review a spend-
- 20 ing plan for such costs to the House and Senate Commit-
- 21 tees on Appropriations.
- Sec. 220. The Secretary is authorized to transfer up
- 23 to 10 percent or \$5,000,000, whichever is less, of funds
- 24 appropriated for any office under the heading "Adminis-
- 25 trative Support Offices" or for any account under the gen-



1	eral heading "Program Office Salaries and Expenses" to
2	any other such office or account: Provided, That no appro-
3	priation for any such office or account shall be increased
4	or decreased by more than 10 percent or \$5,000,000,
5	whichever is less, without prior written approval of the
6	House and Senate Committees on Appropriations: Pro-
7	vided further, That the Secretary shall provide notification
8	to such Committees three business days in advance of any
9	such transfers under this section up to 10 percent or
10	\$5,000,000, whichever is less.
11	Sec. 221. (a) Any entity receiving housing assistance
11 12	Sec. 221. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary condi-
12	payments shall maintain decent, safe, and sanitary condi-
12 13	payments shall maintain decent, safe, and sanitary condi- tions, as determined by the Secretary of Housing and
12 13 14	payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the
12 13 14 15	payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the "Secretary"), and comply with any standards under appli-
12 13 14 15 16	payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the "Secretary"), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations
12 13 14 15 16 17	payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary of Housing and Urban Development (in this section referred to as the "Secretary"), and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered

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- 21 contract or contract for similar project-based assistance—
- 22 (1) receives a Uniform Physical Condition
- 23 Standards (UPCS) score of 60 or less; or
- 24 (2) fails to certify in writing to the Secretary
- 25 within 3 days that all Exigent Health and Safety de-



1	ficiencies	identified	by	the	inspector	at	the	project
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- 2 have been corrected.
- 3 Such requirements shall apply to insured and noninsured
- 4 projects with assistance attached to the units under sec-
- 5 tion 8 of the United States Housing Act of 1937 (42
- 6 U.S.C. 1437f), but do not apply to such units assisted
- 7 under section 8(0)(13) (42 U.S.C. 1437f(0)(13)) or to
- 8 public housing units assisted with capital or operating
- 9 funds under section 9 of the United States Housing Act
- 10 of 1937 (42 U.S.C. 1437g).
- 11 (c)(1) Within 15 days of the issuance of the REAC
- 12 inspection, the Secretary must provide the owner with a
- 13 Notice of Default with a specified timetable, determined
- 14 by the Secretary, for correcting all deficiencies. The Sec-
- 15 retary must also provide a copy of the Notice of Default
- 16 to the tenants, the local government, any mortgagees, and
- 17 any contract administrator. If the owner's appeal results
- 18 in a UPCS score of 60 or above, the Secretary may with-
- 19 draw the Notice of Default.
- 20 (2) At the end of the time period for correcting all
- 21 deficiencies specified in the Notice of Default, if the owner
- 22 fails to fully correct such deficiencies, the Secretary may—
- 23 (A) require immediate replacement of project
- 24 management with a management agent approved by
- 25 the Secretary;



1	(B) impose civil money penalties, which shall be
2	used solely for the purpose of supporting safe and
3	sanitary conditions at applicable properties, as des-
4	ignated by the Secretary, with priority given to the
5	tenants of the property affected by the penalty;
6	(C) abate the section 8 contract, including par-
7	tial abatement, as determined by the Secretary, until
8	all deficiencies have been corrected;
9	(D) pursue transfer of the project to an owner,
10	approved by the Secretary under established proce-
11	dures, which will be obligated to promptly make all
12	required repairs and to accept renewal of the assist-
13	ance contract as long as such renewal is offered;
14	(E) transfer the existing section 8 contract to
15	another project or projects and owner or owners;
16	(F) pursue exclusionary sanctions, including
17	suspensions or debarments from Federal programs;
18	(G) seek judicial appointment of a receiver to
19	manage the property and cure all project deficiencies
20	or seek a judicial order of specific performance re-
21	quiring the owner to cure all project deficiencies;
22	(H) work with the owner, lender, or other re-
23	lated party to stabilize the property in an attempt
24	to preserve the property through compliance trans-



1	fer of ownership, or an infusion of capital provided
2	by a third-party that requires time to effectuate; or
3	(I) take any other regulatory or contractual
4	remedies available as deemed necessary and appro-
5	priate by the Secretary.
6	(d) The Secretary shall also take appropriate steps
7	to ensure that project-based contracts remain in effect
8	subject to the exercise of contractual abatement remedies
9	to assist relocation of tenants for major threats to health
10	and safety after written notice to the affected tenants. To
11	the extent the Secretary determines, in consultation with
12	the tenants and the local government, that the property
13	is not feasible for continued rental assistance payments
14	under such section 8 or other programs, based on consid-
15	eration of—
16	(1) the costs of rehabilitating and operating the
17	property and all available Federal, State, and local
18	resources, including rent adjustments under section
19	524 of the Multifamily Assisted Housing Reform
20	and Affordability Act of 1997 ("MAHRAA"); and
21	(2) environmental conditions that cannot be
22	remedied in a cost-effective fashion, the Secretary
23	may contract for project-based rental assistance pay-
24	ments with an owner or owners of other existing



1	housing properties, or provide other rental assist-
2	ance.
3	(e) The Secretary shall report quarterly on all prop-
4	erties covered by this section that are assessed through
5	the Real Estate Assessment Center and have UPCS phys-
6	ical inspection scores of less than 60 or have received an
7	unsatisfactory management and occupancy review within
8	the past 36 months. The report shall include—
9	(1) the enforcement actions being taken to ad-
10	dress such conditions, including imposition of civil
11	money penalties and termination of subsidies, and
12	identify properties that have such conditions mul-
13	tiple times;
14	(2) actions that the Department of Housing
15	and Urban Development is taking to protect tenants
16	of such identified properties; and
17	(3) any administrative or legislative rec-
18	ommendations to further improve the living condi-
19	tions at properties covered under a housing assist-
20	ance payment contract.
21	This report shall be due to the Senate and House Commit-
22	tees on Appropriations no later than 30 days after the
23	enactment of this Act, and on the first business day of
24	each Federal fiscal year quarter thereafter while this sec-
25	tion remains in effect.



- 1 Sec. 222. None of the funds made available by this
- 2 Act, or any other Act, for purposes authorized under sec-
- 3 tion 8 (only with respect to the tenant-based rental assist-
- 4 ance program) and section 9 of the United States Housing
- 5 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
- 6 any public housing agency for any amount of salary, in-
- 7 cluding bonuses, for the chief executive officer of which,
- 8 or any other official or employee of which, that exceeds
- 9 the annual rate of basic pay payable for a position at level
- 10 IV of the Executive Schedule at any time during any pub-
- 11 lic housing agency fiscal year 2019.
- 12 Sec. 223. None of the funds in this Act provided to
- 13 the Department of Housing and Urban Development may
- 14 be used to make a grant award unless the Secretary noti-
- 15 fies the House and Senate Committees on Appropriations
- 16 not less than 3 full business days before any project,
- 17 State, locality, housing authority, tribe, nonprofit organi-
- 18 zation, or other entity selected to receive a grant award
- 19 is announced by the Department or its offices.
- 20 Sec. 224. None of the funds made available by this
- 21 Act may be used to require or enforce the Physical Needs
- 22 Assessment (PNA).
- Sec. 225. None of the funds made available in this
- 24 Act shall be used by the Federal Housing Administration,
- 25 the Government National Mortgage Administration, or the



- 1 Department of Housing and Urban Development to in-
- 2 sure, securitize, or establish a Federal guarantee of any
- 3 mortgage or mortgage backed security that refinances or
- 4 otherwise replaces a mortgage that has been subject to
- 5 eminent domain condemnation or seizure, by a State, mu-
- 6 nicipality, or any other political subdivision of a State.
- 7 Sec. 226. None of the funds made available by this
- 8 Act may be used to terminate the status of a unit of gen-
- 9 eral local government as a metropolitan city (as defined
- 10 in section 102 of the Housing and Community Develop-
- 11 ment Act of 1974 (42 U.S.C. 5302)) with respect to
- 12 grants under section 106 of such Act (42 U.S.C. 5306).
- 13 Sec. 227. Amounts made available under this Act
- 14 which are either appropriated, allocated, advanced on a
- 15 reimbursable basis, or transferred to the Office of Policy
- 16 Development and Research in the Department of Housing
- 17 and Urban Development and functions thereof, for re-
- 18 search, evaluation, or statistical purposes, and which are
- 19 unexpended at the time of completion of a contract, grant,
- 20 or cooperative agreement, may be deobligated and shall
- 21 immediately become available and may be reobligated in
- 22 that fiscal year or the subsequent fiscal year for the re-
- 23 search, evaluation, or statistical purposes for which the
- 24 amounts are made available to that Office subject to re-
- 25 programming requirements in section 405 of this Act.



- 1 Sec. 228. None of the funds provided in this Act or
- 2 any other act may be used for awards, including perform-
- 3 ance, special act, or spot, for any employee of the Depart-
- 4 ment of Housing and Urban Development subject to ad-
- 5 ministrative discipline (including suspension from work),
- 6 in this or the prior fiscal year, but this prohibition shall
- 7 not be effective prior to the effective date of any such ad-
- 8 ministrative discipline or after any final decision over-
- 9 turning such discipline.
- 10 Sec. 229. Funds made available in this title under
- 11 the heading "Homeless Assistance Grants" may be used
- 12 by the Secretary to participate in Performance Partner-
- 13 ship Pilots authorized under section 526 of division H of
- 14 Public Law 113-76, section 524 of division G of Public
- 15 Law 113-235, section 525 of division H of Public Law
- 16 114-113, and such authorities as are enacted for Perform-
- 17 ance Partnership Pilots in an appropriations Act for fiscal
- 18 year 2019: Provided, That such participation shall be lim-
- 19 ited to no more than 10 continuums of care and housing
- 20 activities to improve outcomes for disconnected youth.
- 21 Sec. 230. With respect to grant amounts awarded
- 22 under the heading "Homeless Assistance Grants" for fis-
- 23 cal years 2015, 2016, 2017, 2018 and 2019 for the con-
- 24 tinuum of care (CoC) program as authorized under sub-
- 25 title C of title IV of the McKinney-Vento Homeless Assist-



- 1 ance Act, costs paid by program income of grant recipients
- 2 may count toward meeting the recipient's matching re-
- 3 quirements, provided the costs are eligible CoC costs that
- 4 supplement the recipient's CoC program.
- 5 Sec. 231. (a) From amounts made available under
- 6 this title under the heading "Homeless Assistance
- 7 Grants", the Secretary may award 1-year transition
- 8 grants to recipients of funds for activities under subtitle
- 9 C of the McKinney-Vento Homeless Assistance Act (42
- 10 U.S.C. 11381 et seq.) to transition from one Continuum
- 11 of Care program component to another.
- 12 (b) No more than 50 percent of each transition grant
- 13 may be used for costs of eligible activities of the program
- 14 component originally funded.
- (c) Transition grants made under this section are eli-
- 16 gible for renewal in subsequent fiscal years for the eligible
- 17 activities of the new program component.
- 18 (d) In order to be eligible to receive a transition
- 19 grant, the funding recipient must have the consent of the
- 20 Continuum of Care and meet standards determined by the
- 21 Secretary.
- Sec. 232. None of the funds made available by this
- 23 Act may be used by the Department of Housing and
- 24 Urban Development to direct a grantee to undertake spe-
- 25 cific changes to existing zoning laws as part of carrying



- 1 out the final rule entitled "Affirmatively Furthering Fair
- 2 Housing" (80 Fed. Reg. 42272 (July 16, 2015)) or the
- 3 notice entitled "Affirmatively Furthering Fair Housing
- 4 Assessment Tool" (79 Fed. Reg. 57949 (September 26,
- 5 2014)).
- 6 Sec. 233. Section 218(g) of the Cranston-Gonzalez
- 7 National Affordable Housing Act (42 U.S.C. 12748(g))
- 8 shall not apply with respect to the right of a jurisdiction
- 9 to draw funds from its HOME Investment Trust Fund
- 10 that otherwise expired or would expire in 2016, 2017,
- 11 2018, 2019, 2020, or 2021 under that section. Section
- 12 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply
- 13 to any uninvested funds that otherwise were deducted or
- 14 would be deducted from the line of credit in the partici-
- 15 pating jurisdiction's HOME Investment Trust Fund in
- 16 2018, 2019, 2020, or 2021 under that section.
- 17 Sec. 234. Amounts made available in title II of divi-
- 18 sion K of the Consolidated Appropriations Resolution,
- 19 2003 (Public Law 108–7) under the heading "Indian
- 20 Housing Loan Guarantee Fund Program Account" for
- 21 necessary expenses of the Land Title Report Commission
- 22 are rescinded.
- 23 Sec. 235. (a) Authority.—The Secretary of Hous-
- 24 ing and Urban Development (in this section referred to
- 25 as the "Secretary") may carry out a mobility demonstra-



1	tion program to enable public housing agencies to admin-
2	ister housing choice voucher assistance under section $8(0)$
3	of the United States Housing Act of 1937 (42 U.S.C.
4	1437f(o)) in a manner designed to encourage families re-
5	ceiving such voucher assistance to move to lower-poverty
6	areas and expand access to opportunity areas.
7	(b) Selection of PHAs.—
8	(1) Requirements.—The Secretary shall es-
9	tablish requirements for public housing agencies to
10	participate in the demonstration program under this
11	section, which shall provide that the following public
12	housing agencies may participate:
13	(A) Public housing agencies that to-
14	gether—
15	(i) serve areas with high concentra-
16	tions of holders of rental assistance vouch-
17	ers under section 8(o) of the United States
18	Housing Act of 1937 (42 U.S.C. 1437f(o))
19	in poor, low-opportunity neighborhoods;
20	and
21	(ii) have an adequate number of mod-
22	erately priced rental units in higher-oppor-
23	tunity areas.
24	(B) Planned consortia or partial consortia
25	of public housing agencies that—



1	(i) include at least one agency with a
2	high-performing Family Self-Sufficiency
3	(FSS) program; and
4	(ii) will enable participating families
5	to continue in such program if they relo-
6	cate to the jurisdiction served by any other
7	agency of the consortium.
8	(C) Planned consortia or partial consortia
9	of public housing agencies that—
10	(i) serve jurisdictions within a single
11	region;
12	(ii) include one or more small agen-
13	cies; and
14	(iii) will consolidate mobility focused
15	operations.
16	(D) Such other public housing agencies as
17	the Secretary considers appropriate.
18	(2) Selection Criteria.—The Secretary shall
19	establish competitive selection criteria for public
20	housing agencies eligible under paragraph (1) to
21	participate in the demonstration program under this
22	section.
23	(3) RANDOM SELECTION OF FAMILIES.—The
24	Secretary may require participating agencies to use
25	a randomized selection process to select among the



1	families eligible to receive mobility assistance under
2	the demonstration program.
3	(c) REGIONAL HOUSING MOBILITY PLAN.—The Sec-
4	retary shall require each public housing agency applying
5	to participate in the demonstration program under this
6	section to submit a Regional Housing Mobility Plan (in
7	this section referred to as a "Plan"), which shall—
8	(1) identify the public housing agencies that
9	will participate under the Plan and the number of
10	vouchers each participating agency will make avail-
11	able out of their existing programs in connection
12	with the demonstration;
13	(2) identify any community-based organizations,
14	nonprofit organizations, businesses, and other enti-
15	ties that will participate under the Plan and describe
16	the commitments for such participation made by
17	each such entity;
18	(3) identify any waivers or alternative require-
19	ments under subparagraph (e) requested for the exe-
20	cution of the Plan;
21	(4) identify any specific actions that the public
22	housing agencies and other entities will undertake to
23	accomplish the goals of the demonstration, which
24	shall include a comprehensive approach to enable a
25	successful transition to opportunity areas and may



1	include counseling and continued support for fami-
2	lies;
3	(5) specify the criteria that the public housing
4	agencies would use to identify opportunity areas
5	under the plan;
6	(6) provide for establishment of priority and
7	preferences for participating families, including a
8	preference for families with young children, as such
9	term is defined by the Secretary, based on regional
10	housing needs and priorities; and
11	(7) comply with any other requirements estab-
12	lished by the Secretary.
13	(d) Funding for Mobility-Related Services.—
14	(1) Use of administrative fees.—Public
15	housing agencies participating in the demonstration
16	program under this section may use administrative
17	fees under section 8(q) of the United States Housing
18	Act of 1937 (42 U.S.C. 1437f(q)), their administra-
19	tive fee reserves, and funding from private entities
20	to provide mobility-related services in connection
21	with the demonstration program, including services
22	such as counseling, portability coordination, landlord
23	outreach, security deposits, and administrative ac-
24	tivities associated with establishing and operating re-
25	gional mobility programs.



1	(2) Use of housing assistance funds.—
2	Public housing agencies participating in the dem-
3	onstration under this section may use housing as-
4	sistance payments funds under section 8(o) of the
5	United States Housing Act of 1937 (42 U.S.C.
6	1437f(o)) for security deposits if necessary to enable
7	families to lease units with vouchers in designated
8	opportunity areas.
9	(e) Waivers; Alternative Requirements.—
10	(1) Waivers.—To allow for public housing
11	agencies to implement and administer their Regional
12	Housing Mobility Plans, the Secretary may waive or
13	specify alternative requirements for the following
14	provisions of the United States Housing Act of
15	1937:
16	(A) Sections $8(o)(7)(A)$ and $8(o)(13)(E)(i)$
17	(relating to the term of a lease and mobility re-
18	quirements).
19	(B) Section 8(o)(13)(C)(i) (relating to the
20	public housing plan for an agency).
21	(C) Section 8(r)(2) (relating to the respon-
22	sibility of a public housing agency to administer
23	ported assistance).
24	(2) Alternative requirements for con-
25	SORTIA.—The Secretary shall provide alternative ad-



1	ministrative requirements for public housing agen-
2	cies in a selected region to—
3	(A) form a consortium that has a single
4	housing choice voucher funding contract; or
5	(B) enter into a partial consortium to op-
6	erate all or portions of the Regional Housing
7	Mobility Plan, which may include agencies par-
8	ticipating in the Moving To Work Demonstra-
9	tion program.
10	(3) Effective date.—Any waiver or alter-
11	native requirements pursuant to this subsection shall
12	not take effect before the expiration of the 10-day
13	period beginning upon publication of notice of such
14	waiver or alternative requirement in the Federal
15	Register.
16	(f) Implementation.—The Secretary may imple-
17	ment the demonstration, including its terms, procedures,
18	requirements, and conditions, by notice.
19	(g) EVALUATION.—Not later than five years after im-
20	plementation of the regional housing mobility programs
21	under the demonstration program under this section, the
22	Secretary shall submit to the Congress and publish in the
23	Federal Register a report evaluating the effectiveness of
24	the strategies pursued under the demonstration, subject
25	to the availability of funding to conduct the evaluation.



- 1 Through official websites and other methods, the Sec-
- 2 retary shall disseminate interim findings as they become
- 3 available, and shall, if promising strategies are identified,
- 4 notify the Congress of the amount of funds that would
- 5 be required to expand the testing of these strategies in
- 6 additional types of public housing agencies and housing
- 7 markets.
- 8 (h) Termination.—The demonstration program
- 9 under this section shall terminate on October 1, 2028.
- 10 Sec. 236. Section 221 of the Department of Housing
- 11 and Urban Development Appropriations Act, 2015 (42)
- 12 U.S.C. 1437f-1; Public Law 113-235; 128 Stat 2754) is
- 13 repealed.
- 14 Sec. 237. The Promise Zone designations and Prom-
- 15 ise Zone Designation Agreements entered into pursuant
- 16 to such designations, made by the Secretary of Housing
- 17 and Urban Development in prior fiscal years, shall remain
- 18 in effect in accordance with the terms and conditions of
- 19 such agreements.
- 20 Sec. 238. None of the funds made available by this
- 21 Act may be used to establish and apply review criteria,
- 22 including rating factors or preference points, for participa-
- 23 tion in or coordination with EnVision Centers, in the eval-
- 24 uation, selection, and award of any funds made available
- 25 and requiring competitive selection under this Act, except



- 1 with respect to any such funds otherwise authorized for
- 2 EnVision Center purposes under this Act.
- 3 This title may be cited as the "Department of Hous-
- 4 ing and Urban Development Appropriations Act, 2019".



1	TITLE III
2	RELATED AGENCIES
3	Access Board
4	SALARIES AND EXPENSES
5	For expenses necessary for the Access Board, as au-
6	thorized by section 502 of the Rehabilitation Act of 1973,
7	as amended, \$8,400,000: Provided, That, notwithstanding
8	any other provision of law, there may be credited to this
9	appropriation funds received for publications and training
10	expenses.
11	FEDERAL MARITIME COMMISSION
12	SALARIES AND EXPENSES
13	For necessary expenses of the Federal Maritime
14	Commission as authorized by section 201(d) of the Mer-
15	chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
16	cluding services as authorized by 5 U.S.C. 3109; hire of
17	passenger motor vehicles as authorized by 31 U.S.C.
18	1343(b); and uniforms or allowances therefore, as author-
19	ized by 5 U.S.C. 5901–5902, \$27,490,000: Provided, That
20	not to exceed \$2,000 shall be available for official recep-
21	tion and representation expenses.



1	NATIONAL RAILROAD PASSENGER CORPORATION
2	Office of Inspector General
3	SALARIES AND EXPENSES
4	For necessary expenses of the Office of Inspector
5	General for the National Railroad Passenger Corporation
6	to carry out the provisions of the Inspector General Act
7	of 1978, as amended, \$23,274,000: Provided, That the In-
8	spector General shall have all necessary authority, in car-
9	rying out the duties specified in the Inspector General Act
10	as amended (5 U.S.C. App. 3), to investigate allegations
11	of fraud, including false statements to the government (18
12	U.S.C. 1001), by any person or entity that is subject to
13	regulation by the National Railroad Passenger Corpora-
14	tion: Provided further, That the Inspector General may
15	enter into contracts and other arrangements for audits
16	studies, analyses, and other services with public agencies
17	and with private persons, subject to the applicable laws
18	and regulations that govern the obtaining of such services
19	within the National Railroad Passenger Corporation: $Pro-$
20	vided further, That the Inspector General may select, ap-
21	point, and employ such officers and employees as may be
22	necessary for carrying out the functions, powers, and du-
23	ties of the Office of Inspector General, subject to the appli-
24	cable laws and regulations that govern such selections, ap-
25	pointments, and employment within the Corporation: Pro-



1	vided further, That concurrent with the President's budget
2	request for fiscal year 2020, the Inspector General shall
3	submit to the House and Senate Committees on Appro-
4	priations a budget request for fiscal year 2020 in similar
5	format and substance to those submitted by executive
6	agencies of the Federal Government.
7	NATIONAL TRANSPORTATION SAFETY BOARD
8	SALARIES AND EXPENSES
9	For necessary expenses of the National Transpor-
10	tation Safety Board, including hire of passenger motor ve-
11	hicles and aircraft; services as authorized by 5 U.S.C.
12	3109, but at rates for individuals not to exceed the per
13	diem rate equivalent to the rate for a GS-15; uniforms,
14	or allowances therefor, as authorized by law (5 U.S.C.
15	5901–5902), \$110,400,000, of which not to exceed \$2,000
16	may be used for official reception and representation ex-
17	penses. The amounts made available to the National
18	Transportation Safety Board in this Act include amounts
19	necessary to make lease payments on an obligation in-
20	curred in fiscal year 2001 for a capital lease.
21	Neighborhood Reinvestment Corporation
22	PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
23	CORPORATION
24	For payment to the Neighborhood Reinvestment Cor-
25	noration for use in neighborhood reinvestment activities



1	as authorized by the Neighborhood Reinvestment Corpora-
2	tion Act (42 U.S.C. 8101–8107), \$150,000,000, of which
3	\$5,000,000 shall be for a multi-family rental housing pro-
4	gram: Provided, That an additional \$2,000,000, to remain
5	available until September 30, 2023, shall be for the pro-
6	motion and development of shared equity housing models
7	SURFACE TRANSPORTATION BOARD
8	SALARIES AND EXPENSES
9	For necessary expenses of the Surface Transpor-
10	tation Board, including services authorized by 5 U.S.C.
11	3109, \$37,100,000: Provided, That notwithstanding any
12	other provision of law, not to exceed \$1,250,000 from fees
13	established by the Chairman of the Surface Transpor-
14	tation Board shall be credited to this appropriation as off-
15	setting collections and used for necessary and authorized
16	expenses under this heading: Provided further, That the
17	sum herein appropriated from the general fund shall be
18	reduced on a dollar-for-dollar basis as such offsetting col-
19	lections are received during fiscal year 2019, to result in
20	a final appropriation from the general fund estimated at
21	no more than \$35,850,000.



1	United States Interagency Council on
2	Homelessness
3	OPERATING EXPENSES
4	For necessary expenses (including payment of sala-
5	ries, authorized travel, hire of passenger motor vehicles,
6	the rental of conference rooms, and the employment of ex-
7	perts and consultants under section 3109 of title 5, United
8	States Code) of the United States Interagency Council on
9	Homelessness in carrying out the functions pursuant to
10	title II of the McKinney-Vento Homeless Assistance Act,
11	as amended, \$3,600,000: Provided, That the first proviso
12	in Public Law 115–141 under the heading "United States
13	Interagency Council on Homelessness—Operating Ex-
14	penses" is amended by striking "2020" and inserting
15	"2028".



1	TITLE IV
2	GENERAL PROVISIONS—THIS ACT
3	Sec. 401. None of the funds in this Act shall be used
4	for the planning or execution of any program to pay the
5	expenses of, or otherwise compensate, non-Federal parties
6	intervening in regulatory or adjudicatory proceedings
7	funded in this Act.
8	Sec. 402. None of the funds appropriated in this Act
9	shall remain available for obligation beyond the current
10	fiscal year, nor may any be transferred to other appropria-
11	tions, unless expressly so provided herein.
12	Sec. 403. The expenditure of any appropriation
13	under this Act for any consulting service through a pro-
14	curement contract pursuant to section 3109 of title 5,
15	United States Code, shall be limited to those contracts
16	where such expenditures are a matter of public record and
17	available for public inspection, except where otherwise pro-
18	vided under existing law, or under existing Executive order
19	issued pursuant to existing law.
20	Sec. 404. (a) None of the funds made available in
21	this Act may be obligated or expended for any employee
22	training that—
23	(1) does not meet identified needs for knowl-
24	edge, skills, and abilities bearing directly upon the
25	norformance of official duties.



1	(2) contains elements likely to induce high lev-
2	els of emotional response or psychological stress in
3	some participants;
4	(3) does not require prior employee notification
5	of the content and methods to be used in the train-
6	ing and written end of course evaluation;
7	(4) contains any methods or content associated
8	with religious or quasi-religious belief systems or
9	"new age" belief systems as defined in Equal Em-
10	ployment Opportunity Commission Notice N-
11	915.022, dated September 2, 1988; or
12	(5) is offensive to, or designed to change, par-
13	ticipants' personal values or lifestyle outside the
14	workplace.
15	(b) Nothing in this section shall prohibit, restrict, or
16	otherwise preclude an agency from conducting training
17	bearing directly upon the performance of official duties.
18	Sec. 405. Except as otherwise provided in this Act,
19	none of the funds provided in this Act, provided by pre-
20	vious appropriations Acts to the agencies or entities fund-
21	ed in this Act that remain available for obligation or ex-
22	penditure in fiscal year 2019, or provided from any ac-
23	counts in the Treasury derived by the collection of fees
24	and available to the agencies funded by this Act, shall be



1	available for obligation or expenditure through a re-
2	programming of funds that—
3	(1) creates a new program;
4	(2) eliminates a program, project, or activity;
5	(3) increases funds or personnel for any pro-
6	gram, project, or activity for which funds have been
7	denied or restricted by the Congress;
8	(4) proposes to use funds directed for a specific
9	activity by either the House or Senate Committees
0	on Appropriations for a different purpose;
1	(5) augments existing programs, projects, or ac-
2	tivities in excess of \$5,000,000 or 10 percent, which-
3	ever is less;
4	(6) reduces existing programs, projects, or ac-
5	tivities by \$5,000,000 or 10 percent, whichever is
6	less; or
7	(7) creates, reorganizes, or restructures a
8	branch, division, office, bureau, board, commission,
9	agency, administration, or department different from
20	the budget justifications submitted to the Commit-
21	tees on Appropriations or the table accompanying
22	the joint explanatory statement accompanying this
23	Act, whichever is more detailed, unless prior ap-
24	proval is received from the House and Senate Com-
25	mittees on Appropriations: Provided, That not later



1	than 60 days after the date of enactment of this
2	Act, each agency funded by this Act shall submit a
3	report to the Committees on Appropriations of the
4	Senate and of the House of Representatives to es-
5	tablish the baseline for application of reprogram-
6	ming and transfer authorities for the current fiscal
7	year: Provided further, That the report shall in-
8	clude—
9	(A) a table for each appropriation with a
10	separate column to display the prior year en-
11	acted level, the President's budget request, ad-
12	justments made by Congress, adjustments due
13	to enacted rescissions, if appropriate, and the
14	fiscal year enacted level;
15	(B) a delineation in the table for each ap-
16	propriation and its respective prior year enacted
17	level by object class and program, project, and
18	activity as detailed in this Act, the table accom-
19	panying the explanatory statement accom-
20	panying this Act, accompanying reports of the
21	House and Senate Committee on Appropria-
22	tions, or in the budget appendix for the respec-
23	tive appropriations, whichever is more detailed,
24	and shall apply to all items for which a dollar
25	amount is specified and to all programs for



1	which new budget (obligational) authority is
2	provided, as well as to discretionary grants and
3	discretionary grant allocations; and
4	(C) an identification of items of special
5	congressional interest.
6	Sec. 406. Except as otherwise specifically provided
7	by law, not to exceed 50 percent of unobligated balances
8	remaining available at the end of fiscal year 2019 from
9	appropriations made available for salaries and expenses
10	for fiscal year 2019 in this Act, shall remain available
11	through September 30, 2020, for each such account for
12	the purposes authorized: Provided, That a request shall
13	be submitted to the House and Senate Committees on Ap-
14	propriations for approval prior to the expenditure of such
15	funds: Provided further, That these requests shall be made
16	in compliance with reprogramming guidelines under sec-
17	tion 405 of this Act.
18	Sec. 407. No funds in this Act may be used to sup-
19	port any Federal, State, or local projects that seek to use
20	the power of eminent domain, unless eminent domain is
21	employed only for a public use: Provided, That for pur-
22	poses of this section, public use shall not be construed to
23	include economic development that primarily benefits pri-
24	vate entities: Provided further, That any use of funds for
25	mass transit, railroad, airport, seaport or highway



- 1 projects, as well as utility projects which benefit or serve
- 2 the general public (including energy-related, communica-
- 3 tion-related, water-related and wastewater-related infra-
- 4 structure), other structures designated for use by the gen-
- 5 eral public or which have other common-carrier or public-
- 6 utility functions that serve the general public and are sub-
- 7 ject to regulation and oversight by the government, and
- 8 projects for the removal of an immediate threat to public
- 9 health and safety or brownfields as defined in the Small
- 10 Business Liability Relief and Brownfields Revitalization
- 11 Act (Public Law 107–118) shall be considered a public
- 12 use for purposes of eminent domain.
- 13 Sec. 408. None of the funds made available in this
- 14 Act may be transferred to any department, agency, or in-
- 15 strumentality of the United States Government, except
- 16 pursuant to a transfer made by, or transfer authority pro-
- 17 vided in, this Act or any other appropriations Act.
- 18 Sec. 409. No part of any appropriation contained in
- 19 this Act shall be available to pay the salary for any person
- 20 filling a position, other than a temporary position, for-
- 21 merly held by an employee who has left to enter the Armed
- 22 Forces of the United States and has satisfactorily com-
- 23 pleted his or her period of active military or naval service,
- 24 and has within 90 days after his or her release from such
- 25 service or from hospitalization continuing after discharge



- 1 for a period of not more than 1 year, made application
- 2 for restoration to his or her former position and has been
- 3 certified by the Office of Personnel Management as still
- 4 qualified to perform the duties of his or her former posi-
- 5 tion and has not been restored thereto.
- 6 Sec. 410. No funds appropriated pursuant to this
- 7 Act may be expended by an entity unless the entity agrees
- 8 that in expending the assistance the entity will comply
- 9 with sections 2 through 4 of the Act of March 3, 1933
- 10 (41 U.S.C. 8301–8305, popularly known as the "Buy
- 11 American Act").
- 12 Sec. 411. No funds appropriated or otherwise made
- 13 available under this Act shall be made available to any
- 14 person or entity that has been convicted of violating the
- 15 Buy American Act (41 U.S.C. 8301–8305).
- 16 Sec. 412. None of the funds made available in this
- 17 Act may be used for first-class airline accommodations in
- 18 contravention of sections 301–10.122 and 301–10.123 of
- 19 title 41, Code of Federal Regulations.
- Sec. 413. (a) None of the funds made available by
- 21 this Act may be used to approve a new foreign air carrier
- 22 permit under sections 41301 through 41305 of title 49,
- 23 United States Code, or exemption application under sec-
- 24 tion 40109 of that title of an air carrier already holding
- 25 an air operators certificate issued by a country that is



- 1 party to the U.S.-E.U.-Iceland-Norway Air Transport
- 2 Agreement where such approval would contravene United
- 3 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
- 4 way Air Transport Agreement.
- 5 (b) Nothing in this section shall prohibit, restrict or
- 6 otherwise preclude the Secretary of Transportation from
- 7 granting a foreign air carrier permit or an exemption to
- 8 such an air carrier where such authorization is consistent
- 9 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
- 10 ment and United States law.
- 11 Sec. 414. None of the funds made available in this
- 12 Act may be used to send or otherwise pay for the attend-
- 13 ance of more than 50 employees of a single agency or de-
- 14 partment of the United States Government, who are sta-
- 15 tioned in the United States, at any single international
- 16 conference unless the relevant Secretary reports to the
- 17 House and Senate Committees on Appropriations at least
- 18 5 days in advance that such attendance is important to
- 19 the national interest: Provided, That for purposes of this
- 20 section the term "international conference" shall mean a
- 21 conference occurring outside of the United States attended
- 22 by representatives of the United States Government and
- 23 of foreign governments, international organizations, or
- 24 nongovernmental organizations.



- 1 Sec. 415. None of the funds appropriated or other-
- 2 wise made available under this Act may be used by the
- 3 Surface Transportation Board to charge or collect any fil-
- 4 ing fee for rate or practice complaints filed with the Board
- 5 in an amount in excess of the amount authorized for dis-
- 6 trict court civil suit filing fees under section 1914 of title
- 7 28, United States Code.
- 8 Sec. 416. None of the funds made available by this
- 9 Act may be used by the Department of Transportation,
- 10 the Department of Housing and Urban Development, or
- 11 any other Federal agency to lease or purchase new light
- 12 duty vehicles for any executive fleet, or for an agency's
- 13 fleet inventory, except in accordance with Presidential
- 14 Memorandum—Federal Fleet Performance, dated May
- 15 24, 2011.
- 16 Sec. 417. (a) None of the funds made available in
- 17 this Act may be used to maintain or establish a computer
- 18 network unless such network blocks the viewing,
- 19 downloading, and exchanging of pornography.
- 20 (b) Nothing in subsection (a) shall limit the use of
- 21 funds necessary for any Federal, State, tribal, or local law
- 22 enforcement agency or any other entity carrying out crimi-
- 23 nal investigations, prosecution, or adjudication activities.
- Sec. 418. (a) None of the funds made available in
- 25 this Act may be used to deny an Inspector General funded



- 1 under this Act timely access to any records, documents,
- 2 or other materials available to the department or agency
- 3 over which that Inspector General has responsibilities
- 4 under the Inspector General Act of 1978 (5 U.S.C. App.),
- 5 or to prevent or impede that Inspector General's access
- 6 to such records, documents, or other materials, under any
- 7 provision of law, except a provision of law that expressly
- 8 refers to the Inspector General and expressly limits the
- 9 Inspector General's right of access.
- 10 (b) A department or agency covered by this section
- 11 shall provide its Inspector General with access to all such
- 12 records, documents, and other materials in a timely man-
- 13 ner.
- (c) Each Inspector General shall ensure compliance
- 15 with statutory limitations on disclosure relevant to the in-
- 16 formation provided by the establishment over which that
- 17 Inspector General has responsibilities under the Inspector
- 18 General Act of 1978 (5 U.S.C. App.).
- 19 (d) Each Inspector General covered by this section
- 20 shall report to the Committees on Appropriations of the
- 21 House of Representatives and the Senate within 5 cal-
- 22 endar days any failures to comply with this requirement.
- Sec. 419. None of the funds appropriated or other-
- 24 wise made available by this Act may be used to pay award
- 25 or incentive fees for contractors whose performance has



- 1 been judged to be below satisfactory, behind schedule, over
- 2 budget, or has failed to meet the basic requirements of
- 3 a contract, unless the Agency determines that any such
- 4 deviations are due to unforeseeable events, government-
- 5 driven scope changes, or are not significant within the
- 6 overall scope of the project and/or program unless such
- 7 awards or incentive fees are consistent with 16.401(e)(2)
- 8 of the FAR.
- 9 Sec. 420. For an additional amount for the "Rail-
- 10 road Rehabilitation and Improvement Financing Pro-
- 11 gram" account for the cost of modifications, as defined
- 12 by section 502 of the Federal Credit Reform Act of 1990,
- 13 of direct loans issued pursuant to sections 501 through
- 14 504 of the Railroad Revitalization and Regulatory Reform
- 15 Act of 1976 (Public Law 94-210), as amended, and in-
- 16 cluded in cohort 1, as defined by the Department of
- 17 Transportation's memorandum to the Office of Manage-
- 18 ment and Budget dated November 5, 2018, \$17,000,000,
- 19 to remain available until expended: Provided, That, for a
- 20 direct loan included in cohort 1, as defined in the memo-
- 21 randum described in the previous proviso, that has satis-
- 22 fied all obligations attached to such loan, the Secretary
- 23 shall repay the credit risk premiums of such loan, with
- 24 interest accrued thereon, not later than 60 days after the
- 25 enactment of this Act or, for a direct loan included in co-



÷	nort I with obligations that have not yet been satisfied,
2	not later than 60 days after the date on which all obliga-
3	tions attached to such loan have been satisfied.
4	Sec. 421. Section 127(l) of title 23, United States
5	Code, is amended by adding at the end the following:
6	"(3) Additional highway segments.—
7	"(A) IN GENERAL.—If any segment of
8	highway described in clause (i) or (ii) of this
9	subparagraph is designated as a route of the
10	Interstate System, a vehicle that could operate
11	legally on that segment before the date of such
12	designation may continue to operate on that
13	segment, without regard to any requirement
14	under subsection (a), except that such vehicle
15	shall not exceed a gross vehicle weight of
16	120,000 pounds. The highway segments re-
17	ferred to in this paragraph are as follows:
18	"(i) The William H. Natcher Parkway
19	(to be designated as a spur of Interstate
20	Route 65) from Interstate Route 65 in
21	Bowling Green, Kentucky, to United
22	States Route 60 in Owensboro, Kentucky.
23	"(ii) The Julian M. Carroll (Pur-
24	chase) Parkway (to be designated as Inter-
25	state Route 69) in Kentucky from the Ten-



1	nessee state line to the interchange with
2	Interstate Route 24, near Calvert City.
3	"(B) Nondivisible load or vehicle.—
4	Nothing in this paragraph shall prohibit the
5	State from issuing a permit for a nondivisible
6	load or vehicle with a gross vehicle weight that
7	exceeds 120,000 pounds.".
8	Sec. 422. Section 127(s) of title 23, United States
9	Code, is amended—
10	(1) by striking the subsection heading and in-
11	serting the following: "(s) NATURAL GAS AND ELEC-
12	TRIC BATTERY VEHICLES";
13	(2) by inserting "or powered primarily by
14	means of electric battery power" after the first time
15	"natural gas" appears;
16	(3) by striking "any vehicle weight limit" and
17	inserting "the weight limit on the power unit by up
18	to 2,000 pounds"; and
19	(4) by striking all that follows after "under this
20	section" and inserting a period after "section".
21	Sec. 423. Section 31112(e) of title 49, United States
22	Code, is amended—
23	(1) in the subsection heading by striking "AND
24	Kansas" and inserting "Kansas, and Oregon";



1	(2) in paragraph (4) by striking "and" at the
2	end;
3	(3) in paragraph (5) by striking the period at
4	the end and inserting "; and; and
5	(4) by adding at the end the following:
6	"(6) Oregon may allow the operation of a truck
7	tractor and 2 property-carrying units not in actual
8	lawful operation on a regular or periodic basis on
9	June 1, 1991, if—
10	"(A) the length of the property-carrying
11	units does not exceed 82 feet 8 inches;
12	"(B) the combination is used only to trans-
13	port sugar beets; and
14	"(C) the operation occurs on United States
15	Route 20, United States Route 26, United
16	States Route 30, or Oregon Route 201 in the
17	vicinity, or between any, of—
18	"(i) Vale, Oregon;
19	"(ii) Ontario, Oregon; or
20	"(iii) Nyssa, Oregon.".
21	This division may be cited as the "Transportation,
22	Housing and Urban Development, and Related Agencies
23	Appropriations Act, 2019".



1	DIVISION H—ADDITIONAL SUPPLE-
2	MENTAL APPROPRIATIONS FOR DIS-
3	ASTER RELIEF, 2019
4	The following sums in this division are appropriated,
5	out of any money in the Treasury not otherwise appro-
6	priated, for the fiscal year ending September 30, 2019,
7	and for other purposes, namely:
8	TITLE I
9	DEPARTMENT OF AGRICULTURE
10	AGRICULTURAL PROGRAMS
11	Processing, Research and Marketing
12	OFFICE OF THE SECRETARY
13	For an additional amount for the "Office of the Sec-
14	retary", \$3,005,442,000, which shall remain available
15	until December 31, 2020, for necessary expenses related
16	to losses of crops (including milk and harvested adulter-
17	ated wine grapes), trees, bushes, and vines, as a con-
18	sequence of Hurricanes Michael or Florence, other hurri-
19	canes, typhoons, volcanic activity, or wildfires occurring
20	in calendar year 2018 under such terms and conditions
21	as determined by the Secretary: $Provided$, That the Sec-
22	retary may provide assistance for such losses in the form
23	of block grants to eligible states and territories and such
24	assistance may include compensation to producers, as de-
25	termined by the Secretary, for past or future crop insur-



1	ance premiums, forest restoration, and poultry and live-
2	stock losses: Provided further, That of the amounts pro-
3	vided under this heading, tree assistance payments may
4	be made under section 1501(e) of the Agricultural Act of
5	2014 (7 U.S.C. 9081(e)) to eligible orchardists or nursery
6	tree growers (as defined in such section) of pecan trees
7	with a tree mortality rate that exceeds 7.5 percent (ad-
8	justed for normal mortality) and is less than 15 percent
9	(adjusted for normal mortality), to be available until ex-
10	pended, for losses incurred during the period beginning
11	January 1, 2018, and ending December 31, 2018: Pro-
12	vided further, That in the case of producers impacted by
13	volcanic activity that resulted in the loss of crop land, or
14	access to crop land, the Secretary shall consider all meas-
15	ures available, as appropriate, to bring replacement land
16	into production: Provided further, That the total amount
17	of payments received under this heading and applicable
18	policies of crop insurance under the Federal Crop Insur-
19	ance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop
20	Disaster Assistance Program (NAP) under section 196 of
21	the Federal Agriculture Improvement and Reform Act of
22	1996 (7 U.S.C. 7333) shall not exceed 90 percent of the
23	loss as determined by the Secretary: Provided further,
24	That the total amount of payments received under this
25	heading for producers who did not obtain a policy or plan



- 1 of insurance for an insurable commodity for the applicable
- 2 crop year under the Federal Crop Insurance Act (7 U.S.C.
- 3 1501 et seq.) for the crop incurring the losses or did not
- 4 file the required paperwork and pay the service fee by the
- 5 applicable State filing deadline for a noninsurable com-
- 6 modity for the applicable crop year under NAP for the
- 7 crop incurring the losses shall not exceed 70 percent of
- 8 the loss as determined by the Secretary: Provided further,
- 9 That producers receiving payments under this heading, as
- 10 determined by the Secretary, shall be required to purchase
- 11 crop insurance where crop insurance is available for the
- 12 next two available crop years, excluding tree insurance
- 13 policies, and producers receiving payments under this
- 14 heading shall be required to purchase coverage under NAP
- 15 where crop insurance is not available in the next two avail-
- 16 able crop years, as determined by the Secretary: Provided
- 17 further, That, not later than 120 days after the end of
- 18 fiscal year 2019, the Secretary shall submit a report to
- 19 the Congress specifying the type, amount, and method of
- 20 such assistance by state and territory: Provided further,
- 21 That such amount is designated by the Congress as being
- 22 for an emergency requirement pursuant to section
- 23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
- 24 Deficit Control Act of 1985.



1	FARM SERVICE AGENCY
2	EMERGENCY FOREST RESTORATION PROGRAM
3	For an additional amount for the "Emergency Forest
4	Restoration Program", for necessary expenses related to
5	the consequences of Hurricanes Michael and Florence and
6	wildfires occurring in calendar year 2018, and other nat-
7	ural disasters, \$480,000,000, to remain available until ex-
8	pended: Provided, That such amount is designated by the
9	Congress as being for an emergency requirement pursuant
10	to section 251(b)(2)(A)(i) of the Balanced Budget and
11	Emergency Deficit Control Act of 1985.
12	Natural Resources Conservation Service
13	WATERSHED AND FLOOD PREVENTION OPERATIONS
14	For an additional amount for "Watershed and Flood
15	Prevention Operations", for necessary expenses for the
16	Emergency Watershed Protection Program related to the
17	consequences of Hurricanes Michael and Florence and
18	wildfires occurring in calendar year 2018, and other nat-
19	ural disasters, \$125,000,000, to remain available until ex-
20	pended: Provided, That such amount is designated by the
21	Congress as being for an emergency requirement pursuant
22	to section 251(b)(2)(A)(i) of the Balanced Budget and
23	Emergency Deficit Control Act of 1985.



1	Rural Development
2	RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
3	For an additional amount for the cost of grants for
4	rural community facilities programs as authorized by sec-
5	tion 306 and described in section $381E(d)(1)$ of the Con-
6	solidated Farm and Rural Development Act, for necessary
7	expenses related to the consequences of Hurricanes Mi-
8	chael and Florence and wildfires occurring in calendar
9	year 2018, and other natural disasters, \$150,000,000, to
10	remain available until expended: Provided, That sections
11	381E-H and 381N of the Consolidated Farm and Rural
12	Development Act are not applicable to the funds made
13	available under this heading: Provided further, That such
14	amount is designated by the Congress as being for an
15	emergency requirement pursuant to section
16	251(b)(2)(A)(i) of the Balanced Budget and Emergency
17	Deficit Control Act of 1985.
18	GENERAL PROVISIONS—THIS TITLE
19	Sec. 101. In addition to amounts otherwise made
20	available, out of the funds made available under section
21	18 of Food and Nutrition Act of 2008, \$25,200,000 shall
22	be available for the Secretary to provide a grant to the
23	Commonwealth of the Northern Mariana Islands for dis-
24	aster nutrition assistance in response to the Presidentially
25	declared major disasters and emergencies: Provided That



- 1 funds made available to the Commonwealth of the North-
- 2 ern Mariana Islands under this section shall remain avail-
- 3 able for obligation by the Commonwealth until September
- 4 30, 2020: Provided further, That such amount is des-
- 5 ignated by the Congress as being for an emergency re-
- 6 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 7 anced Budget and Emergency Deficit Control Act of 1985.
- 8 Sec. 102. For purposes of administering title I of
- 9 subdivision 1 of division B of the Bipartisan Budget Act
- 10 of 2018 (Public Law 115–123), losses to agricultural pro-
- 11 ducers resulting from hurricanes shall also include losses
- 12 incurred from Tropical Storm Cindy and losses of peach
- 13 and blueberry crops in calendar year 2017 due to extreme
- 14 cold: Provided, That the amounts provided by this section
- 15 are designated by the Congress as being for an emergency
- 16 requirement pursuant to section 251(b)(2)(A)(i) of the
- 17 Balanced Budget and Emergency Deficit Control Act of
- 18 1985: Provided further, That amounts repurposed under
- 19 this heading that were previously designated by the Con-
- 20 gress as an emergency requirement pursuant to the Bal-
- 21 anced Budget and Emergency Deficit Control Act of 1985
- 22 are designated by the Congress as an emergency require-
- 23 ment pursuant to section 251(b)(2)(A)(i) of the Balanced
- 24 Budget and Emergency Deficit Control Act of 1985.



- 1 Sec. 103. (a)(1) Except as provided in paragraph
- 2 (2), a person or legal entity is not eligible to receive a
- 3 payment under the Market Facilitation Program estab-
- 4 lished pursuant to the Commodity Credit Corporation
- 5 Charter Act (15 U.S.C. 714 et seq.) if the average ad-
- 6 justed gross income of such person or legal entity is great-
- 7 er than \$900,000.
- 8 (2) Paragraph (1) shall not apply to a person or legal
- 9 entity if at least 75 percent of the adjusted gross income
- 10 of such person or legal entity is derived from farming,
- 11 ranching, or forestry related activities.
- 12 (b) A person or legal entity may not receive a pay-
- 13 ment under the Market Facilitation Program described in
- 14 subsection (a)(1), directly or indirectly, of more than
- 15 \$125,000.
- 16 (c) In this section, the term "average adjusted gross
- 17 income" has the meaning given the term defined in section
- 18 760.1502 of title 7 Code of Federal Regulations (as in
- 19 effect July 18, 2018).
- 20 (d) The amount provided by this section is designated
- 21 by the Congress as being for an emergency requirement
- 22 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
- 23 et and Emergency Deficit Control Act of 1985.



1	TITLE II
2	DEPARTMENT OF COMMERCE
3	ECONOMIC DEVELOPMENT ADMINISTRATION
4	ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS
5	(INCLUDING TRANSFERS OF FUNDS)
6	Pursuant to section 703 of the Public Works and
7	Economic Development Act (42 U.S.C. 3233), for an addi-
8	tional amount for "Economic Development Assistance
9	Programs" for necessary expenses related to flood mitiga-
10	tion, disaster relief, long-term recovery, and restoration of
11	infrastructure in areas that received a major disaster des-
12	ignation as a result of Hurricanes Florence, Michael, and
13	Lane, Typhoons Yutu and Mangkhut, and of wildfires, vol-
14	canic eruptions, earthquakes, and other natural disasters
15	occurring in calendar year 2018 under the Robert T. Staf-
16	ford Disaster Relief and Emergency Assistance Act (42
17	U.S.C. 5121 et seq.), \$600,000,000, to remain available
18	until expended: Provided, That such amount is designated
19	by the Congress as being for an emergency requirement
20	pursuant to section $251(b)(2)(A)(i)$ of the Balanced Budge
21	et and Emergency Deficit Control Act of 1985: Provided
22	further, That within the amount appropriated, up to 2 per-
23	cent of funds may be transferred to the "Salaries and Ex-
24	penses" account for administration and oversight activi-
25	tion. Provided further That within the amount appro



1	priated, \$1,000,000 shall be transferred to the "Office of
2	Inspector General" account for carrying out investigations
3	and audits related to the funding provided under this
4	heading.
5	NATIONAL OCEANIC AND ATMOSPHERIC
6	Administration
7	OPERATIONS, RESEARCH, AND FACILITIES
8	For an additional amount for "Operations, Research,
9	and Facilities" for necessary expenses related to the con-
10	sequences of Hurricanes Florence and Michael, Typhoon
11	Yutu, and of wildfires, \$120,570,000, to remain available
12	until September 30, 2020, as follows:
13	(1) \$3,000,000 for repair and replacement of
14	observing assets, real property, and equipment;
15	(2) \$11,000,000 for marine debris assessment
16	and removal;
17	(3) \$31,570,000 for mapping, charting, and ge-
18	odesy services;
19	(4) \$25,000,000 to improve: (a) hurricane in-
20	tensity forecasting, including through deployment of
21	unmanned ocean observing platforms and enhanced
22	data assimilation; (b) flood prediction, forecasting,
23	and mitigation capabilities; and (c) wildfire pre-
24	diction, detection, and forecasting; and



1	(5) \$50,000,000 for Title IX Fund grants as
2	authorized under section 906(c) of division O of
3	Public Law 114–113:
4	Provided, That such amount is designated by the Congress
5	as being for an emergency requirement pursuant to sec-
6	tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
7	gency Deficit Control Act of 1985: Provided further, That
8	the National Oceanic and Atmospheric Administration
9	shall submit a spending plan to the Committees on Appro-
10	priations of the House of Representatives and the Senate
11	for funding provided under subsection (4) of this heading
12	within 45 days after the date of enactment of this division
13	PROCUREMENT, ACQUISITION AND CONSTRUCTION
14	For an additional amount for "Procurement, Acquisi-
15	tion and Construction", \$25,000,000, to remain available
16	until September 30, 2021, for improvements to oper-
17	ational and research weather supercomputing infrastruc-
18	ture and satellite ground services used for hurricane inten-
19	sity and track prediction; flood prediction, forecasting, and
20	mitigation; and wildfire prediction, detection, and fore-
21	casting: Provided, That such amount is designated by the
22	Congress as being for an emergency requirement pursuant
23	to section 251(b)(2)(A)(i) of the Balanced Budget and
24	Emergency Deficit Control Act of 1985: Provided further
25	That the National Oceanic and Atmospheric Administra-



1	tion shall submit a spending plan to the Committees on
2	Appropriations of the House of Representatives and the
3	Senate within 45 days after the date of enactment of this
4	division.
5	FISHERIES DISASTER ASSISTANCE
6	For an additional amount for "Fisheries Disaster As-
7	sistance" for necessary expenses associated with the miti-
8	gation of fishery disasters, \$150,000,000, to remain avail-
9	able until expended: Provided, That funds shall be used
10	for mitigating the effects of commercial fishery failures
11	and fishery resource disasters declared by the Secretary
12	of Commerce, including those declared by the Secretary
13	to be a direct result of Hurricanes Florence and Michael
14	and Typhoons Yutu and Mangkhut: Provided further,
15	That such amount is designated by the Congress as being
16	for an emergency requirement pursuant to section
17	251(b)(2)(A)(i) of the Balanced Budget and Emergency
18	Deficit Control Act of 1985.
19	DEPARTMENT OF JUSTICE
20	UNITED STATES MARSHALS SERVICE
21	SALARIES AND EXPENSES
22	For an additional amount for "Salaries and Ex-
23	penses" for necessary expenses related to the con-
24	sequences of Hurricanes Florence and Michael and Ty-
25	phoon Yutu, \$1,336,000: Provided, That such amount is



1	designated by the Congress as being for an emergency re-
2	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
3	anced Budget and Emergency Deficit Control Act of 1985.
4	FEDERAL PRISON SYSTEM
5	BUILDINGS AND FACILITIES
6	For an additional amount for "Buildings and Facili-
7	ties" for necessary expenses related to the consequences
8	of Hurricanes Florence and Michael and Typhoon Yutu,
9	\$28,400,000, to remain available until expended: $Pro-$
10	vided, That such amount is designated by the Congress
11	as being for an emergency requirement pursuant to sec-
12	tion $251(b)(2)(A)(i)$ of the Balanced Budget and Emer-
13	gency Deficit Control Act of 1985.
14	RELATED AGENCIES
15	LEGAL SERVICES CORPORATION
16	PAYMENT TO THE LEGAL SERVICES CORPORATION
17	For an additional amount for "Payment to the Legal
18	Services Corporation" to carry out the purposes of the
19	Legal Services Corporation Act by providing for necessary
20	expenses related to the consequences of Hurricanes Flor-
21	ence, Michael, and Lane, Typhoons Yutu and Mangkhut,
22	and calendar year 2018 wildfires, volcanic eruptions, and
23	earthquakes, \$15,000,000: Provided, That such amount is
24	designated by the Congress as being for an emergency re-
25	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-



- 1 anced Budget and Emergency Deficit Control Act of 1985:
- 2 Provided further, That none of the funds appropriated in
- 3 this division to the Legal Services Corporation shall be ex-
- 4 pended for any purpose prohibited or limited by, or con-
- 5 trary to any of the provisions of, sections 501, 502, 503,
- 6 504, 505, and 506 of Public Law 105–119, and all funds
- 7 appropriated in this division to the Legal Services Cor-
- 8 poration shall be subject to the same terms and conditions
- 9 set forth in such sections, except that all references in sec-
- 10 tions 502 and 503 to 1997 and 1998 shall be deemed to
- 11 refer instead to 2018 and 2019, respectively, and except
- 12 that sections 501 and 503 of Public Law 104–134 (ref-
- 13 erenced by Public Law 105–119) shall not apply to the
- 14 amount made available under this heading: Provided fur-
- 15 ther, That, for the purposes of this division, the Legal
- 16 Services Corporation shall be considered an agency of the
- 17 United States Government.



1	TITLE III
2	DEPARTMENT OF DEFENSE
3	OPERATION AND MAINTENANCE, MARINE CORPS
4	For an additional amount for "Operation and Main-
5	tenance, Marine Corps", \$200,000,000, for necessary ex-
6	penses related to the consequences of Hurricanes Michael
7	and Florence: Provided, That such amount is designated
8	by the Congress as being for an emergency requirement
9	pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
0	et and Emergency Deficit Control Act of 1985.
1	OPERATION AND MAINTENANCE, AIR FORCE
2	For an additional amount for "Operation and Main-
3	tenance, Air Force", \$400,000,000, for necessary ex-
4	penses related to the consequences of Hurricanes Michael
5	and Florence: Provided, That such amount is designated
6	by the Congress as being for an emergency requirement
7	pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
Q	at and Emergency Deficit Control Act of 1985



1	TITLE IV
2	CORPS OF ENGINEERS—CIVIL
3	DEPARTMENT OF THE ARMY
4	INVESTIGATIONS
5	For an additional amount for "Investigations" for
6	necessary expenses related to the completion, or initiation
7	and completion, of flood and storm damage reduction, in-
8	cluding shore protection, studies which are currently au-
9	thorized or which are authorized after the date of enact-
10	ment of this division, to reduce risk from future floods
11	and hurricanes, at full Federal expense, \$35,000,000, to
12	remain available until expended, for high priority studies
13	of projects in States and insular areas that were impacted
14	by Hurricanes Florence and Michael, Typhoon Mangkhut
15	Super Typhoon Yutu, and Tropical Storm Gita: Provided
16	That such amount is designated by the Congress as being
17	for an emergency requirement pursuant to section
18	251(b)(2)(A)(i) of the Balanced Budget and Emergency
19	Deficit Control Act of 1985: Provided further, That the
20	Assistant Secretary of the Army for Civil Works shall pro-
21	vide a monthly report directly to the Committees on Ap-
22	propriations of the House and the Senate detailing the al-
23	location and obligation of these funds, including new stud-
24	ies selected to be initiated using funds provided under this



- 1 heading, beginning not later than 60 days after the date
- 2 of enactment of this division.
- 3 Construction
- 4 For an additional amount for "Construction" for nec-
- 5 essary expenses, \$740,000,000, to remain available until
- 6 expended, to construct flood and storm damage reduction,
- 7 including shore protection, projects which are currently
- 8 authorized or which are authorized after the date of enact-
- 9 ment of this division, and flood and storm damage reduc-
- 10 tion, including shore protection, projects which have
- 11 signed Chief's Reports as of the date of enactment of this
- 12 division or which are studied using funds provided under
- 13 the heading "Investigations" if the Secretary determines
- 14 such projects to be technically feasible, economically justi-
- 15 fied, and environmentally acceptable, in States and insular
- 16 areas that were impacted by Hurricanes Florence and Mi-
- 17 chael, Typhoon Mangkhut, Super Typhoon Yutu, and
- 18 Tropical Storm Gita: Provided, That projects receiving
- 19 funds provided under the first proviso in "Title IV—Corps
- 20 of Engineers—Civil—Department of the Army—Con-
- 21 struction" in Public Law 115-123 shall not be eligible for
- 22 funding provided under this heading: Provided further,
- 23 That for projects receiving funds provided under this
- 24 heading, the provisions of Section 902 of the Water Re-
- 25 sources Act of 1986 shall not apply to these funds: Pro-



1	vided further, That the completion of ongoing construction
2	projects receiving funds provided under this heading shall
3	be at full Federal expense with respect to such funds: $Pro-$
4	vided further, That using funds provided under this head-
5	ing, the non-Federal cash contribution for projects other
6	than ongoing construction projects shall be financed in ac-
7	cordance with the provisions of section 103(k) of Public
8	Law 99-662 over a period of 30 years from the date of
9	completion of the project or separable element: Provided
10	further, That up to \$25,000,000 of the funds made avail-
11	able under this heading shall be used for continuing au-
12	thorities projects to reduce the risk of flooding and storm
13	damage: Provided further, That any projects using funds
14	appropriated under this heading shall be initiated only
15	after non-Federal interests have entered into binding
16	agreements with the Secretary requiring, where applicable,
17	the non-Federal interests to pay 100 percent of the oper-
18	ation, maintenance, repair, replacement, and rehabilita-
19	tion costs of the project and to hold and save the United
20	States free from damages due to the construction or oper-
21	ation and maintenance of the project, except for damages
22	due to the fault or negligence of the United States or its
23	contractors: Provided further, That such amount is des-
24	ignated by the Congress as being for an emergency re-
25	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-



- 1 anced Budget and Emergency Deficit Control Act of 1985:
- 2 Provided further, That the Assistant Secretary of the
- 3 Army for Civil Works shall provide a monthly report di-
- 4 rectly to the Committees on Appropriations of the House
- 5 of Representatives and the Senate detailing the allocation
- 6 and obligation of these funds, beginning not later than 60
- 7 days after the date of enactment of this division.
- 8 MISSISSIPPI RIVER AND TRIBUTARIES
- 9 For an additional amount for "Mississippi River and
- 10 Tributaries" for necessary expenses to address emergency
- 11 situations at Corps of Engineers projects and rehabilitate
- 12 and repair damages to Corps of Engineers projects,
- 13 caused by natural disasters, \$225,000,000, to remain
- 14 available until expended: Provided, That such amount is
- 15 designated by the Congress as being for an emergency re-
- 16 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 17 anced Budget and Emergency Deficit Control Act of 1985:
- 18 Provided further, That the Assistant Secretary of the
- 19 Army for Civil Works shall provide a monthly report di-
- 20 rectly to the Committees on Appropriations of the House
- 21 of Representatives and the Senate detailing the allocation
- 22 and obligation of these funds, beginning not later than 60
- 23 days after the date of enactment of this division.



1	OPERATION AND MAINTENANCE
2	For an additional amount for "Operation and Main-
3	tenance" for necessary expenses to dredge Federal naviga-
4	tion projects in response to, and repair damages to Corps
5	of Engineers Federal projects caused by, natural disasters,
6	\$245,000,000, to remain available until expended, of
7	which such sums as are necessary to cover the Federal
8	share of eligible operation and maintenance costs for
9	coastal harbors and channels, and for inland harbors shall
10	be derived from the Harbor Maintenance Trust Fund:
11	${\it Provided},$ That such amount is designated by the Congress
12	as being for an emergency requirement pursuant to sec-
13	tion $251(b)(2)(A)(i)$ of the Balanced Budget and Emer-
14	gency Deficit Control Act of 1985: $Provided\ further,$ That
15	the Assistant Secretary of the Army for Civil Works shall
16	provide a monthly report directly to the Committees on
17	Appropriations of the House of Representatives and the
18	Senate detailing the allocation and obligation of these
19	funds, beginning not later than 60 days after the date of
20	enactment of this division.
21	DEPARTMENT OF THE INTERIOR
22	CENTRAL UTAH PROJECT
23	CENTRAL UTAH PROJECT COMPLETION ACCOUNT
24	For an additional amount for "Central Utah Project
25	Completion Account", \$350,000, to be deposited into the



19 Deficit Control Act of 1985.

1	Utah Reclamation Mitigation and Conservation Account
2	for use by the Utah Reclamation Mitigation and Conserva-
3	tion Commission, to remain available until expended, for
4	expenses necessary in carrying out fire remediation activi-
5	ties related to wildfires in 2018: Provided, That such
6	amount is designated by the Congress as being for an
7	emergency requirement pursuant to section
8	251(b)(2)(A)(i) of the Balanced Budget and Emergency
9	Deficit Control Act of 1985.
10	BUREAU OF RECLAMATION
11	WATER AND RELATED RESOURCES
12	For an additional amount for "Water and Related
13	Resources", \$15,500,000, to remain available until ex-
14	pended, for fire remediation and suppression emergency
15	assistance related to wildfires in 2017 and 2018: Provided,
16	That such amount is designated by the Congress as being
17	for an emergency requirement pursuant to section
10	251(b)(2)(A)(i) of the Balanced Budget and Emergency



1	TITLE V
2	DEPARTMENT OF HOMELAND SECURITY
3	SECURITY, ENFORCEMENT, AND
4	INVESTIGATIONS
5	Coast Guard
6	OPERATIONS AND SUPPORT
7	For an additional amount for "Operations and Sup-
8	port" for necessary expenses related to the consequences
9	of Hurricanes Michael, Florence, and Lane, Tropical
10	Storm Gordon, and Typhoon Mangkhut, \$46,977,000, to
11	remain available until September 30, 2020: Provided,
12	That such amount is designated by the Congress as being
13	for an emergency requirement pursuant to section
14	251(b)(2)(A)(i) of the Balanced Budget and Emergency
15	Deficit Control Act of 1985.
16	PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
17	For an additional amount for "Procurement, Con-
18	struction, and Improvements" for necessary expenses re-
19	lated to the consequences of Hurricanes Michael, Flor-
20	ence, and Lane, Tropical Storm Gordon, and Typhoon
21	Mangkhut, \$476,755,000, to remain available until Sep-
22	tember 30, 2023: Provided, That such amount is des-
23	ignated by the Congress as being for an emergency re-
24	quirement pursuant to section $251(b)(2)(A)(i)$ of the Bal-
25	anced Budget and Emergency Deficit Control Act of 1985.



- 1 Environmental compliance and restoration
- 2 For an additional amount for "Environmental Com-
- 3 pliance and Restoration" for necessary expenses related
- 4 to the consequences of Hurricanes Michael and Florence,
- 5 \$2,000,000, to remain available until September 30, 2023:
- 6 Provided, That such amount is designated by the Congress
- 7 as being for an emergency requirement pursuant to sec-
- 8 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
- 9 gency Deficit Control Act of 1985.



1	TITLE VI
2	DEPARTMENT OF THE INTERIOR
3	UNITED STATES FISH AND WILDLIFE SERVICE
4	CONSTRUCTION
5	For an additional amount for "Construction" for nec-
6	essary expenses related to the consequences of Hurricanes
7	Florence, Lane, and Michael, and flooding associated with
8	major declared disaster DR -4365 , and calendar year 2018
9	earthquakes, \$82,400,000, to remain available until ex-
10	pended: Provided, That of this amount \$50,000,000 shall
11	be used to restore and rebuild national wildlife refuges and
12	increase the resiliency and capacity of coastal habitat and
13	infrastructure to withstand storms and reduce the amount
14	of damage caused by such storms: Provided further, That
15	such amount is designated by the Congress as being for
16	an emergency requirement pursuant to section
17	251(b)(2)(A)(i) of the Balanced Budget and Emergency
18	Deficit Control Act of 1985.
19	NATIONAL PARK SERVICE
20	HISTORIC PRESERVATION FUND
21	For an additional amount for the "Historic Preserva-
22	tion Fund" for necessary expenses related to the con-
23	sequences of Hurricanes Florence and Michael, and Ty-
24	phoon Yutu, \$50,000,000, to remain available until Sep-
25	tember 30, 2022, including costs to States and territories



1	necessary	to	complete	compliance	activities	required	by
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- 2 section 306108 of title 54, United States Code (formerly
- 3 section 106 of the National Historic Preservation Act) and
- 4 costs needed to administer the program: Provided, That
- 5 grants shall only be available for areas that have received
- 6 a major disaster declaration pursuant to the Robert T.
- 7 Stafford Disaster Relief and Emergency Assistance Act
- 8 (42 U.S.C. 5121 et seq.): Provided further, That individual
- 9 grants shall not be subject to a non-Federal matching re-
- 10 quirement: Provided further, That such amount is des-
- 11 ignated by the Congress as being for an emergency re-
- 12 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 13 anced Budget and Emergency Deficit Control Act of 1985.

14 CONSTRUCTION

- For an additional amount for "Construction" for nec-
- 16 essary expenses related to the consequences of Hurricanes
- 17 Florence and Michael, Typhoons Yutu and Mangkhut, and
- 18 calendar year 2018 wildfires, earthquakes, and volcanic
- 19 eruptions, \$78,000,000, to remain available until ex-
- 20 pended: Provided, That such amount is designated by the
- 21 Congress as being for an emergency requirement pursuant
- 22 to section 251(b)(2)(A)(i) of the Balanced Budget and
- 23 Emergency Deficit Control Act of 1985.



1	United States Geological Survey
2	SURVEYS, INVESTIGATIONS, AND RESEARCH
3	For an additional amount for "Surveys, Investiga-
4	tions, and Research" for necessary expenses related to the
5	consequences of Hurricanes Florence and Michael, and
6	calendar year 2018 wildfires, earthquake damage associ-
7	ated with emergency declaration EM-3410, and in those
8	areas impacted by a major disaster declared pursuant to
9	the Robert T. Stafford Disaster Relief and Emergency As-
10	sistance Act (42 U.S.C. 5121 et seq.) with respect to cal-
11	endar year 2018 wildfires or volcanic eruptions,
12	\$98,500,000, to remain available until expended: $Pro-$
13	vided, That of this amount, \$72,310,000 is for costs re-
14	lated to the repair and replacement of equipment and fa-
15	cilities damaged by disasters in 2018: Provided further,
16	That, not later than 90 days after enactment of this divi-
17	sion, the Survey shall submit a report to the Committees
18	on Appropriations that describes the potential options to
19	replace the facility damaged by the 2018 volcano disaster
20	along with cost estimates and a description of how the
21	Survey will provide direct access for monitoring volcanie
22	activity and the potential threat to at-risk communities:
23	Provided further, That such amount is designated by the
24	Congress as being for an emergency requirement pursuant



1	to section 251(b)(2)(A)(i) of the Balanced Budget and
2	Emergency Deficit Control Act of 1985.
3	DEPARTMENTAL OFFICES
4	Insular Affairs
5	ASSISTANCE TO TERRITORIES
6	For an additional amount for "Technical Assistance"
7	for financial management expenses related to the con-
8	sequences of Typhoon Yutu, \$2,000,000, to remain avail-
9	able until expended: Provided, That such amount is des-
10	ignated by the Congress as being for an emergency re-
11	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
12	anced Budget and Emergency Deficit Control Act of 1985.
13	Office of Inspector General
14	SALARIES AND EXPENSES
15	For an additional amount for "Salaries and Ex-
16	penses" for necessary expenses related to the con-
17	sequences of major disasters declared pursuant to the
	sequences of major disasters declared pursuant to the
18	sequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assist-
18 19	sequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, \$1,000,000,
18 19 20	sequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, \$1,000,000, to remain available until expended: <i>Provided</i> , That such
18 19 20 21	sequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, \$1,000,000, to remain available until expended: <i>Provided</i> , That such amount is designated by the Congress as being for an



1	ENVIRONMENTAL PROTECTION AGENCY
2	SCIENCE AND TECHNOLOGY
3	For an additional amount for "Science and Tech-
4	nology" for necessary expenses related to improving pre-
5	paredness of the water sector, \$600,000, to remain avail-
6	able until expended: Provided, That such amount is des-
7	ignated by the Congress as being for an emergency re-
8	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
9	anced Budget and Emergency Deficit Control Act of 1985.
10	LEAKING UNDERGROUND STORAGE TANK TRUST FUND
11	Program
12	For an additional amount for "Leaking Underground
13	Storage Tank Fund" for necessary expenses related to the
14	consequences of Hurricanes Florence and Michael, cal-
15	endar year 2018 earthquakes, and Typhoon Yutu,
16	\$1,500,000, to remain available until expended: $Provided$,
17	That such amount is designated by the Congress as being
18	for an emergency requirement pursuant to section
19	251(b)(2)(A)(i) of the Balanced Budget and Emergency
20	Deficit Control Act of 1985.
21	STATE AND TRIBAL ASSISTANCE GRANTS
22	For additional amounts for "State and Tribal Assist-
23	ance Grants" for necessary expenses related to the con-
24	sequences of Hurricanes Florence and Michael and cal-
25	endar year 2018 earthquakes for the hazardous waste fi-



1	nancial assistance grants program, \$1,500,000, to remain
2	available until expended; for necessary expenses related to
3	the consequences of Typhoon Yutu for the hazardous
4	waste financial assistance grants program and for other
5	solid waste management activities, \$56,000,000, to remain
6	available until expended, provided that none of these funds
7	shall be subject to section 3011(b) of the Solid Waste Dis-
8	posal Act; and for grants under section 106 of the Federal
9	Water Pollution Control Act, \$5,000,000, to remain avail-
10	able until expended, to address impacts of Hurricane Flor-
11	ence, Hurricane Michael, Typhoon Yutu, and calendar
12	year 2018 wildfires, notwithstanding subsections (b), (e)
13	and (f), of such section: Provided, That such amounts are
14	designated by the Congress as being for an emergency re-
15	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16	anced Budget and Emergency Deficit Control Act of 1985
17	For an additional amount for "State and Tribal As-
18	sistance Grants", \$349,400,000 to remain available until
19	expended, of which \$53,300,000 shall be for capitalization
20	grants for the Clean Water State Revolving Funds under
21	title VI of the Federal Water Pollution Control Act, and
22	of which \$296,100,000 shall be for capitalization grants
23	under section 1452 of the Safe Drinking Water Act: Pro-
24	vided, That notwithstanding section 604(a) of the Federal
25	Water Pollution Control Act and section 1452(a)(1)(D) of



1	the Safe Drinking Water Act, funds appropriated herein
2	shall be provided to States in EPA Regions 4, 9, and 10
3	in amounts determined by the Administrator for waste-
4	water treatment works and drinking water facilities im-
5	pacted by Hurricanes Florence and Michael, Typhoon
6	Yutu, and calendar year 2018 wildfires and earthquakes:
7	Provided further, That notwithstanding the requirements
8	of section 603(i) of the Federal Water Pollution Control
9	Act and section 1452(d) of the Safe Drinking Water Act
10	for the funds appropriated herein, each State shall use not
11	less than 20 percent but not more than 30 percent amount
12	of its capitalization grants to provide additional subsidiza-
13	tion to eligible recipients in the form of forgiveness of prin-
14	cipal, negative interest loans or grants or any combination
15	of these: Provided further, That the Administrator shall
16	retain \$10,400,000 of the funds appropriated herein for
17	grants for drinking water facilities and waste water treat-
18	ment plants impacted by Typhoon Yutu: Provided further,
19	That the funds appropriated herein shall be used for eligi-
20	ble projects whose purpose is to reduce flood or fire dam-
21	age risk and vulnerability or to enhance resiliency to rapid
22	hydrologic change or natural disaster at treatment works
23	as defined by section 212 of the Federal Water Pollution
24	Control Act or any eligible facilities under section 1452
25	of the Safe Drinking Water Act, and for other eligible



1	tasks at such treatment works or facilities necessary to
2	further such purposes: Provided further, That the Admin-
3	istrator of the Environmental Protection Agency may re-
4	tain up to \$1,000,000 of the funds appropriated herein
5	for management and oversight: Provided further, That
6	such amount is designated by the Congress as being for
7	an emergency requirement pursuant to section
8	251(b)(2)(A)(i) of the Balanced Budget and Emergency
9	Deficit Control Act of 1985.
10	RELATED AGENCIES
11	DEPARTMENT OF AGRICULTURE
12	Forest Service
13	FOREST AND RANGELAND RESEARCH
14	For an additional amount for "Forest and Rangeland
15	Research" for necessary expenses related to the con-
16	sequences of Hurricanes Florence and Michael, and the
17	calendar year 2018 wildfires, $\$1,000,000$, to remain avail-
18	able until expended for the forest inventory and analysis
19	program: $Provided$, That such amount is designated by the
20	Congress as being for an emergency requirement pursuant
21	to section $251(b)(2)(A)(i)$ of the Balanced Budget and
22	Emergency Deficit Control Act of 1985.
23	STATE AND PRIVATE FORESTRY
24	For an additional amount for "State and Private
25	Forestry" for necessary expenses related to the con-



- 1 sequences of Hurricanes Florence and Michael, and the
- 2 calendar year 2018 wildfires, \$12,000,000, to remain
- 3 available until expended: Provided, That such amount is
- 4 designated by the Congress as being for an emergency re-
- 5 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 6 anced Budget and Emergency Deficit Control Act of 1985.
- 7 NATIONAL FOREST SYSTEM
- 8 For an additional amount for "National Forest Sys-
- 9 tem" for necessary expenses related to the consequences
- 10 of Hurricanes Florence and Michael, and the calendar
- 11 year 2018 wildfires, \$84,960,000, to remain available
- 12 until expended: Provided, That of this amount
- 13 \$21,000,000 shall be used for hazardous fuels manage-
- 14 ment activities: Provided further, That such amount is des-
- 15 ignated by the Congress as being for an emergency re-
- 16 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
- 17 anced Budget and Emergency Deficit Control Act of 1985.
- 18 CAPITAL IMPROVEMENT AND MAINTENANCE
- 19 For an additional amount for "Capital Improvement
- 20 and Maintenance" for necessary expenses related to the
- 21 consequences of Hurricanes Florence and Michael, and the
- 22 calendar year 2018 wildfires, \$36,040,000, to remain
- 23 available until expended: Provided, That such amount is
- 24 designated by the Congress as being for an emergency re-



1	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
2	anced Budget and Emergency Deficit Control Act of 1985.
3	WILDLAND FIRE MANAGEMENT
4	(INCLUDING TRANSFER OF FUNDS)
5	For an additional amount for "Wildland Fire Man-
6	agement", \$720,271,000, to remain available through
7	September 30, 2022, for urgent wildland fire suppression
8	operations: $Provided$, That such funds shall be solely avail-
9	able to be transferred to and merged with other appropria-
10	tions accounts from which funds were previously trans-
11	ferred for wildland fire suppression in fiscal year 2018 to
12	fully repay those amounts: Provided further, That such
13	amount is designated by the Congress as an emergency
14	requirement pursuant to section 251(b)(2)(A)(i) of the
15	Balanced Budget and Emergency Deficit Control Act of
16	1985.
17	DEPARTMENT OF HEALTH AND HUMAN
18	SERVICES
19	NATIONAL INSTITUTES OF HEALTH
20	NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
21	SCIENCES
22	For an additional amount for "National Institute of
23	Environmental Health Sciences" for necessary expenses in
24	carrying out activities set forth in section 311(a) of the
25	Comprehensive Environmental Response, Compensation,



- 1 and Liability Act of 1980 (42 U.S.C. 9660(a)) and section
- 2 126(g) of the Superfund Amendments and Reauthoriza-
- 3 tion Act of 1986 related to the consequences of major dis-
- 4 asters declared pursuant to the Robert T. Stafford Dis-
- 5 aster Relief and Emergency Assistance Act (42 U.S.C.
- 6 5121 et seq.) in 2018, \$1,000,000, to remain available
- 7 until expended: Provided, That such amount is designated
- 8 by the Congress as being for an emergency requirement
- 9 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
- 10 et and Emergency Deficit Control Act of 1985.

11 GENERAL PROVISION—THIS TITLE

- SEC. 601. Not later than 45 days after the date of
- 13 enactment of this division, the agencies receiving funds ap-
- 14 propriated by this title shall provide a detailed operating
- 15 plan of anticipated uses of funds made available in this
- 16 title by State and Territory, and by program, project, and
- 17 activity, to the Committees on Appropriations: *Provided*,
- 18 That no such funds shall be obligated before the operating
- 19 plans are provided to the Committees: Provided further,
- 20 That such plans shall be updated, including obligations to
- 21 date, and submitted to the Committees on Appropriations
- 22 every 60 days until all such funds are expended.



1	TITLE VII
2	DEPARTMENT OF LABOR
3	EMPLOYMENT AND TRAINING ADMINISTRATION
4	TRAINING AND EMPLOYMENT SERVICES
5	(INCLUDING TRANSFER OF FUNDS)
6	For an additional amount for "Training and Employ-
7	ment Services", \$50,000,000, for the dislocated workers
8	assistance national reserve for necessary expenses directly
9	related to the consequences of Hurricanes Florence and
10	Michael, Typhoon Mangkhut, Super Typhoon Yutu, and
11	wildfires or earthquakes occurring in 2018 (referred to
12	under this heading as "covered disaster or emergency"),
13	to remain available through September 30, 2020: $Pro-$
14	vided, That the Secretary of Labor may transfer up to
15	\$1,000,000 of such funds to any other Department of
16	Labor account for reconstruction and recovery needs, in-
17	cluding worker protection activities: Provided further, That
18	these sums may be used to replace grant funds previously
19	obligated to the impacted areas: Provided further, That of
20	the amount provided, up to \$500,000, to remain available
21	until expended, shall be transferred to "Office of Inspector
22	General" for oversight of activities responding to such cov-
23	ered disaster or emergency: Provided further, That such
24	amount is designated by the Congress as being for an
25	emergency requirement pursuant to section



1	251(b)(2)(A)(1) of the Balanced Budget and Emergency
2	Deficit Control Act of 1985.
3	DEPARTMENT OF HEALTH AND HUMAN
4	SERVICES
5	Administration for Children and Families
6	CHILDREN AND FAMILIES SERVICES PROGRAMS
7	For an additional amount for "Children and Families
8	Services Programs", \$80,000,000, to remain available
9	through September 30, 2021, for Head Start programs,
10	for necessary expenses directly related to the consequences
11	of Hurricanes Florence and Michael, Typhoon Mangkhut
12	and Super Typhoon Yutu, and wildfires or earthquakes
13	occurring in 2018 in those areas for which a major dis-
14	aster or emergency has been declared under section 401
15	or 501 of the Robert T. Stafford Disaster Relief and
16	Emergency Assistance Act (42 U.S.C. 5170 and 5191),
17	including making payments under the Head Start Act:
18	Provided, That none of the funds appropriated in this
19	paragraph shall be included in the calculation of the "base
20	grant" in subsequent fiscal years, as such term is defined
21	in sections $640(a)(7)(A)$, $641A(h)(1)(B)$, or $645(d)(3)$ of
22	the Head Start Act: Provided further, That funds appro-
23	priated in this paragraph are not subject to the allocation
24	requirements of section 640(a) of the Head Start Act:
25	Provided further, That funds appropriated in this para-



1	graph shall not be available for costs that are reimbursed
2	by the Federal Emergency Management Agency, under a
3	contract for insurance, or by self-insurance: Provided fur-
4	ther, That up to \$2,000,000 shall be available for Federal
5	administrative expenses: Provided further, That obliga-
6	tions incurred for the purposes provided herein prior to
7	the date of enactment of this division may be charged to
8	funds appropriated under this heading: Provided further
9	That such amount is designated by the Congress as being
10	for an emergency requirement pursuant to section
11	251(b)(2)(A)(i) of the Balanced Budget and Emergency
12	Deficit Control Act of 1985.
13	OFFICE OF THE SECRETARY
14	PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
15	FUND
16	(INCLUDING TRANSFERS OF FUNDS)
17	For an additional amount for the "Public Health and
18	Social Services Emergency Fund", \$166,000,000, to re-
19	main available through September 30, 2020, for necessary
20	expenses directly related to the consequences of Hurri-
21	canes Florence and Michael, Typhoon Mangkhut and
22	Super Typhoon Yutu, and wildfires or earthquakes occur-
23	ring in 2018 in those areas for which a major disaster
24	or emergency has been declared under sections 401 or 501
25	of the Robert T. Stafford Disaster Relief and Emergency



1	Assistance	Act	(42)	U.S.C.	5170	and	5191)	(referred	to

- 2 under this heading as "covered disaster or emergency"),
- 3 including activities authorized under section 319(a) of the
- 4 Public Health Service Act (referred to in this division as
- 5 the "PHS Act"): Provided, That of the amount provided,
- 6 \$45,000,000 shall be transferred to "Health Resources
- 7 and Services Administration—Primary Health Care" for
- 8 expenses directly related to a covered disaster or emer-
- 9 gency for disaster response and recovery, for the Health
- 10 Centers Program under section 330 of the PHS Act, in-
- 11 cluding alteration, renovation, construction, equipment,
- 12 and other capital improvement costs as necessary to meet
- 13 the needs of areas affected by a covered disaster or emer-
- 14 gency: Provided further, That the time limitation in section
- 15 330(e)(3) of the PHS Act shall not apply to funds made
- 16 available under the preceding proviso: Provided further,
- 17 That of the amount provided, not less than \$20,000,000
- 18 shall be transferred to "Centers for Disease Control and
- 19 Prevention—CDC-Wide Activities and Program Support"
- 20 for response, recovery, mitigation, and other expenses di-
- 21 rectly related to a covered disaster or emergency: Provided
- 22 further, That of the amount provided, not less than
- 23 \$100,000,000 shall be transferred to "Substance Abuse
- 24 and Mental Health Services Administration—Health Sur-
- 25 veillance and Program Support" for grants, contracts, and



1	cooperative agreements for behavioral health treatment,
2	crisis counseling, treatment of substance use disorders,
3	and other related helplines, and for other similar programs
4	to provide support to individuals impacted by a covered
5	disaster or emergency: Provided further, That of the
6	amount provided, up to \$1,000,000, to remain available
7	until expended, shall be transferred to "Office of the Sec-
8	retary—Office of Inspector General" for oversight of ac-
9	tivities responding to such hurricanes, typhoons, and
10	wildfires: Provided further, That such amount is des-
11	ignated by the Congress as being for an emergency re-
12	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
13	anced Budget and Emergency Deficit Control Act of 1985.
14	DEPARTMENT OF EDUCATION
15	HURRICANE EDUCATION RECOVERY
16	(INCLUDING TRANSFER OF FUNDS)
17	For an additional amount for "Hurricane Education
18	Recovery' for necessary expenses directly related to the
19	consequences of Hurricanes Florence and Michael, Ty-
20	phoon Mangkhut, Super Typhoon Yutu, and wildfires,
21	earthquakes, or volcanic eruptions in 2018 in those areas
22	for which a major disaster or emergency has been declared
23	under section 401 or 501 of the Robert T. Stafford Dis-
24	aster Relief and Emergency Assistance Act (42 U.S.C.
25	5170 and 5191) (referred to under this heading as a "cov-



1	ered disaster or emergency"), \$165,000,000, to remain
2	available through September 30, 2021: Provided, That
3	such amount is designated by the Congress as being for
4	an emergency requirement pursuant to section
5	251(b)(2)(A)(i) of the Balanced Budget and Emergency
6	Deficit Control Act of 1985: Provided further, That such
7	assistance may be provided through any of the programs
8	authorized under this heading in division B of title VIII
9	of Public Law 115–123 (as amended by Public Law 115–
10	141), as determined by the Secretary of Education, and
11	subject to the terms and conditions that applied to those
12	programs, except that references to dates and school years
13	in Public Law 115–123 shall be deemed to be the cor-
14	responding dates and school years for the covered disaster
15	or emergency: Provided further, That the Secretary of
16	Education may determine the amounts to be used for each
17	such program and shall notify the Committees on Appro-
18	priations of the House of Representatives and the Senate
19	of these amounts not later than 7 days prior to obligation:
20	Provided further, That \$2,000,000 of the funds made
21	available under this heading, to remain available until ex-
22	pended, shall be transferred to the Office of the Inspector
23	General of the Department of Education for oversight of
24	activities supported with funds appropriated under this



- 1 heading, and up to \$1,000,000 of the funds made available
- 2 under this heading shall be for program administration.
- 3 GENERAL PROVISIONS—THIS TITLE
- 4 Sec. 701. Not later than 30 days after the date of
- 5 enactment of this division, the Secretaries of Labor,
- 6 Health and Human Services, and Education shall provide
- 7 a detailed spend plan of anticipated uses of funds made
- 8 available in this title, including estimated personnel and
- 9 administrative costs, to the Committees on Appropria-
- 10 tions: Provided, That such plans shall be updated and sub-
- 11 mitted to the Committees on Appropriations every 60 days
- 12 until all funds are expended or expire.
- 13 Sec. 702. Unless otherwise provided for by this title,
- 14 the additional amounts appropriated by this title to appro-
- 15 priations accounts shall be available under the authorities
- 16 and conditions applicable to such appropriations accounts
- 17 for fiscal year 2019.



1	TITLE VIII
2	LEGISLATIVE BRANCH
3	GOVERNMENT ACCOUNTABILITY OFFICE
4	SALARIES AND EXPENSES
5	For an additional amount for "Salaries and Ex-
6	penses", \$10,000,000, to remain available until expended,
7	for audits and investigations related to Hurricanes Flor-
8	ence, Lane, and Michael, Typhoons Yutu and Mangkhut,
9	the calendar year 2018 wildfires, earthquakes, and volcano
10	eruptions, and other disasters declared pursuant to the
11	Robert T. Stafford Disaster Relief and Emergency Assist-
12	ance Act (42 U.S.C. 5121 et seq.): Provided, That, not
13	later than 90 days after the date of enactment of this divi-
14	sion, the Government Accountability Office shall submit
15	to the Committees on Appropriations of the House of Rep-
16	resentatives and the Senate a spend plan specifying fund-
17	ing estimates for audits and investigations of any such de-
18	clared disasters occurring in 2018 and identifying funding
19	estimates or carryover balances, if any, that may be avail-
20	able for audits and investigations of any other such de-
21	clared disasters: Provided further, That such amount is
22	designated by the Congress as being for an emergency re-
23	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
24	anced Budget and Emergency Deficit Control Act of 1985.



1	TITLE IX
2	DEPARTMENT OF DEFENSE
3	MILITARY CONSTRUCTION, NAVY AND MARINE CORPS
4	For an additional amount for "Military Construction,
5	Navy and Marine Corps", \$115,000,000, to remain avail-
6	able until September 30, 2023, for planning and design
7	related to the consequences of Hurricanes Florence and
8	Michael on Navy and Marine Corps installations: Pro-
9	vided, That none of the funds shall be available for obliga-
10	tion until the Committees on Appropriations of the House
11	of Representatives and the Senate receive a master plan
12	for the installations and a form 1391 for each specific
13	project: Provided further, That, not later than 60 days
14	after enactment of this division, the Secretary of the Navy,
15	or his designee, shall submit to the Committees on Appro-
16	priations of the House of Representatives and the Senate
17	a detailed expenditure plan for funds provided under this
18	heading: Provided further, That such amount is designated
19	by the Congress as being for an emergency requirement
20	pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
21	et and Emergency Deficit Control Act of 1985.
22	MILITARY CONSTRUCTION, AIR FORCE
23	For an additional amount for "Military Construction,
24	Air Force", \$700,000,000, to remain available until Sep-
25	tember 30, 2023, for planning and design, and construc-



- 1 tion expenses related to the consequences of Hurricane
- 2 Michael: Provided, That none of the funds shall be avail-
- 3 able for obligation until the Committees on Appropriations
- 4 of the House of Representatives and the Senate receive
- 5 a basing plan and future mission requirements for instal-
- 6 lations significantly damaged by Hurricane Michael: Pro-
- 7 vided further, That, not later than 60 days after enact-
- 8 ment of this division, the Secretary of the Air Force, or
- 9 his designee, shall submit to the Committees on Appro-
- 10 priations of the House of Representatives and the Senate
- 11 a detailed expenditure plan for funds provided under this
- 12 heading: Provided further, That such amount is designated
- 13 by the Congress as being for an emergency requirement
- 14 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
- 15 et and Emergency Deficit Control Act of 1985.
- 16 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD
- 17 For an additional amount for "Military Construction,
- 18 Army National Guard", \$42,400,000, to remain available
- 19 until September 30, 2023, for necessary expenses related
- 20 to the consequences of Hurricanes Florence and Michael:
- 21 Provided, That none of the funds shall be available for
- 22 obligation until the Committees on Appropriations of the
- 23 House of Representatives and the Senate receive form
- 24 1391 for each specific request: Provided further, That, not
- 25 later than 60 days after enactment of this division, the



1	Director of the Army National Guard, or his designee
2	shall submit to the Committees on Appropriations of the
3	House of Representatives and the Senate a detailed ex-
4	penditure plan for funds provided under this heading: Pro-
5	vided further, That such funds may be obligated or ex-
6	pended for planning and design and military construction
7	projects not otherwise authorized by law: Provided further
8	That such amount is designated by the Congress as being
9	for an emergency requirement pursuant to section
10	251(b)(2)(A)(i) of the Balanced Budget and Emergency
11	Deficit Control Act of 1985.
12	DEPARTMENT OF VETERANS AFFAIRS
13	VETERANS HEALTH ADMINISTRATION
14	MEDICAL FACILITIES
15	(INCLUDING TRANSFER OF FUNDS)
16	For an additional amount for "Medical Facilities",
17	\$3,000,000, to remain available until September 30, 2023
18	for necessary expenses related to the consequences of Hur-
19	ricanes Florence and Michael and Typhoons Mangkhut
20	and Yutu: Provided, That the Secretary of Veterans Af-
21	fairs, upon determination that such action is necessary to
22	address needs as a result of the consequences of Hurri-
23	canes Florence and Michael and Typhoons Mangkhut and
24	Yutu, may transfer such funds to any discretionary ac-
25	count of the Department of Veterans Affairs: Provided



- 1 further, That before a transfer may take place, the Sec-
- 2 retary of Veterans Affairs shall submit notice thereof to
- 3 the Committee on Appropriations of the House of Rep-
- 4 resentatives and the Senate: Provided further, That none
- 5 of these funds shall be available for obligation until the
- 6 Secretary of Veterans Affairs submits to the Committees
- 7 on Appropriations of the House of Representatives and the
- 8 Senate a detailed expenditure plan for funds provided
- 9 under this heading: Provided further, That such amount
- 10 is designated by the Congress as being for an emergency
- 11 requirement pursuant to section 251(b)(2)(A)(i) of the
- 12 Balanced Budget and Emergency Deficit Control Act of
- 13 1985.



1	TITLE X
2	DEPARTMENT OF TRANSPORTATION
3	FEDERAL TRANSIT ADMINISTRATION
4	PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM
5	For an additional amount for the "Public Transpor-
6	tation Emergency Relief Program" as authorized under
7	section 5324 of title 49, United States Code, \$10,542,000
8	to remain available until expended, for transit systems af-
9	fected by major declared disasters occurring in calendar
10	year 2018: Provided, That not more than three-quarters
11	of 1 percent of the funds for public transportation emer-
12	gency relief shall be available for administrative expenses
13	and ongoing program management oversight as authorized
14	under sections 5334 and $5338(f)(2)$ of such title and shall
15	be in addition to any other appropriations for such pur-
16	pose: Provided further, That such amount is designated
17	by the Congress as being for an emergency requirement
18	pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
19	et and Emergency Deficit Control Act of 1985.
20	FEDERAL AVIATION ADMINISTRATION
21	OPERATIONS
22	(AIRPORT AND AIRWAY TRUST FUND)
23	Of the amounts made available for "Federal Aviation
24	Administration—Operations" in division B of the Bipar-
25	tisan Budget Act of 2018 (Public Law 115-123), up to



1	\$18,000,000 shall also be available for necessary expenses
2	related to the consequences of major declared disasters oc-
3	curring in calendar year 2018: Provided, That amounts
4	repurposed under this heading that were previously des-
5	ignated by the Congress as an emergency requirement
6	pursuant to the Balanced Budget and Emergency Deficit
7	Control Act of 1985 are designated by the Congress as
8	an emergency requirement pursuant to section
9	251(b)(2)(A)(i) of the Balanced Budget and Emergency
10	Deficit Control Act of 1985.
11	FEDERAL HIGHWAY ADMINISTRATION
12	EMERGENCY RELIEF PROGRAM
13	For an additional amount for the Emergency Relief
14	Program as authorized under section 125 of title 23,
15	United States Code, \$1,650,000,000, to remain available
16	until expended: Provided, That such amount is designated
17	by the Congress as being for an emergency requirement
18	pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
19	et and Emergency Deficit Control Act of 1985.



1	DEPARTMENT OF HOUSING AND URBAN
2	DEVELOPMENT
3	COMMUNITY PLANNING AND DEVELOPMENT
4	COMMUNITY DEVELOPMENT FUND
5	(INCLUDING TRANSFERS OF FUNDS)
6	For an additional amount for "Community Develop-
7	ment Fund", \$1,060,000,000, to remain available until
8	expended, for necessary expenses for activities authorized
9	under title I of the Housing and Community Development
10	Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster
11	relief, long-term recovery, restoration of infrastructure
12	and housing, economic revitalization, and mitigation in the
13	most impacted and distressed areas resulting from a
14	major disaster that occurred in 2018 pursuant to the Rob-
15	ert T. Stafford Disaster Relief and Emergency Assistance
16	Act (42 U.S.C. 5121 et seq.): Provided, That funds shall
17	be awarded directly to the State, unit of general local gov-
18	ernment, or Indian tribe (as such term is defined in sec-
19	tion 102 of the Housing and Community Development Act
20	of 1974) at the discretion of the Secretary: Provided fur-
21	ther, That any funds made available under this heading
22	and under the same heading in Public Law 115–254 that
23	remain available, after the funds under such headings
24	have been allocated for necessary expenses for activities
25	authorized under such headings shall be allocated to



1	grantees, for mitigation activities in the most impacted
2	and distressed areas resulting from a major disaster that
3	occurred in 2018: Provided further, That such allocations
4	shall be made in the same proportion that the amount of
5	funds each grantee received under this division and the
6	same heading in division I of Public Law 115–254 bears
7	to the amount of all funds provided to all grantees that
8	received allocations for disasters that occurred in 2018:
9	Provided further, That of the amounts made available
10	under the text preceding the first proviso under this head-
11	ing and under the same heading in Public Law 115–254,
12	the Secretary shall allocate to all such grantees an aggre-
13	gate amount not less than 33 percent of the sum of such
14	amounts of funds within 120 days after the enactment of
15	this division based on the best available data, and shall
16	allocate no less than 100 percent of such funds by no later
17	than 180 days after the enactment of this division: Pro-
18	vided further, That the Secretary shall not prohibit the
19	use of funds made available under this heading and the
20	same heading in Public Law 115–254 for non-Federal
21	share as authorized by section 105(a)(9) of the Housing
22	and Community Development Act of 1974 (42 U.S.C.
23	5305(a)(9)): Provided further, That of the amounts made
24	available under this heading, grantees may establish grant
25	programs to assist small businesses for working capital



1	purposes to aid in recovery: Provided further, That as a
2	condition of making any grant, the Secretary shall certify
3	in advance that such grantee has in place proficient finan
4	cial controls and procurement processes and has estab
5	lished adequate procedures to prevent any duplication of
6	benefits as defined by section 312 of the Robert T. Staf
7	ford Disaster Relief and Emergency Assistance Act (42
8	U.S.C. 5155), to ensure timely expenditure of funds, to
9	maintain comprehensive websites regarding all disaster re
10	covery activities assisted with these funds, and to detec
11	and prevent waste, fraud, and abuse of funds: Provided
12	further, That with respect to any such duplication of bene
13	fits, the Secretary shall act in accordance with section
14	1210 of Public Law 115–254 (132 Stat. 3442) and section
15	312 of the Robert T. Stafford Disaster Relief and Emer
16	gency Assistance Act (42 U.S.C. 5155): Provided further
17	That the Secretary shall require grantees to maintain or
18	a public website information containing common reporting
19	criteria established by the Department that permits indi
20	viduals and entities awaiting assistance and the genera
21	public to see how all grant funds are used, including copies
22	of all relevant procurement documents, grantee adminis
23	trative contracts and details of ongoing procurement proc
24	esses, as determined by the Secretary: Provided further
25	That prior to the obligation of funds a grantee shall sub-



1	mit a plan to the Secretary for approval detailing the pro-
2	posed use of all funds, including criteria for eligibility and
3	how the use of these funds will address long-term recovery
4	and restoration of infrastructure and housing, economic
5	revitalization, and mitigation in the most impacted and
6	distressed areas: Provided further, That such funds may
7	not be used for activities reimbursed by, or for which
8	funds have been made available by, the Federal Emer-
9	gency Management Agency or the Army Corps of Engi-
10	neers, in excess of the authorized amount of the project
11	or its components: Provided further, That funds allocated
12	under this heading shall not be considered relevant to the
13	non-disaster formula allocations made pursuant to section
14	106 of the Housing and Community Development Act of
15	1974 (42 U.S.C. 5306): Provided further, That a State
16	unit of general local government, or Indian tribe may use
17	up to 5 percent of its allocation for administrative costs
18	Provided further, That the first proviso under this heading
19	in the Supplemental Appropriations for Disaster Relief
20	Requirements Act, 2018 (division I of Public Law 115-
21	254) is amended by striking "State or unit of general local
22	government" and inserting "State, unit of general local
23	government, or Indian tribe (as such term is defined in
24	section 102 of the Housing and Community Development
25	Act of 1974 (42 U.S.C. 5302))": Provided further, That



1	the sixth proviso under this heading in the Supplemental
2	Appropriations for Disaster Relief Requirements Act,
3	2018 (division I of Public Law 115–254) is amended by
4	striking "State or subdivision thereof" and inserting
5	"State, unit of general local government, or Indian tribe
6	(as such term is defined in section 102 of the Housing
7	and Community Development Act of 1974 (42 U.S.C.
8	5302))": Provided further, That in administering the
9	funds under this heading, the Secretary of Housing and
10	Urban Development may waive, or specify alternative re-
11	quirements for, any provision of any statute or regulation
12	that the Secretary administers in connection with the obli-
13	gation by the Secretary or the use by the recipient of these
14	funds (except for requirements related to fair housing,
15	nondiscrimination, labor standards, and the environment),
16	if the Secretary finds that good cause exists for the waiver
17	or alternative requirement and such waiver or alternative
18	requirement would not be inconsistent with the overall
19	purpose of title I of the Housing and Community Develop-
20	ment Act of 1974: Provided further, That, notwithstanding
21	the preceding proviso, recipients of funds provided under
22	this heading that use such funds to supplement Federal

- 23 assistance provided under section 402, 403, 404, 406,
- 407, 408 (c)(4), or 502 of the Robert T. Stafford Disaster
- 25 Relief and Emergency Assistance Act (42 U.S.C. 5121 et



1	seq.) may adopt, without review or public comment, any
2	environmental review, approval, or permit performed by
3	a Federal agency, and such adoption shall satisfy the re-
4	sponsibilities of the recipient with respect to such environ-
5	mental review, approval or permit: Provided further, That
6	notwithstanding section 104(g)(2) of the Housing and
7	Community Development Act of 1974 (42 U.S.C.
8	5304(g)(2)), the Secretary may, upon receipt of a request
9	for release of funds and certification, immediately approve
10	the release of funds for an activity or project assisted
11	under this heading if the recipient has adopted an environ-
12	mental review, approval or permit under the preceding
13	proviso or the activity or project is categorically excluded
14	from review under the National Environmental Policy Act
15	of 1969 (42 U.S.C. 4321 et seq.): Provided further, That
16	the Secretary shall publish via notice in the Federal Reg-
17	ister any waiver, or alternative requirement, to any statute
18	or regulation that the Secretary administers pursuant to
19	title I of the Housing and Community Development Act
20	of 1974 no later than 5 days before the effective date of
21	such waiver or alternative requirement: Provided further
22	That of the amounts made available under this heading
23	up to \$5,000,000 shall be made available for capacity
24	building and technical assistance, including assistance or
25	contracting and progurement processes to support States



1	units of general local government, or Indian tribes (and
2	their subrecipients) that receive allocations pursuant to
3	this heading, received disaster recovery allocations under
4	the same heading in Public Law 115–254, or may receive
5	similar allocations for disaster recovery in future appro-
6	priations Acts: Provided further, That of the amounts
7	made available under this heading and under the same
8	heading in Public Law 115–254, up to $\$2,500,000$ shall
9	be transferred, in aggregate, to "Department of Housing
10	and Urban Development—Program Office Salaries and
11	Expenses—Community Planning and Development" for
12	necessary costs, including information technology costs, of
13	administering and overseeing the obligation and expendi-
14	ture of amounts under this heading: Provided further,
15	That the amount specified in the preceding proviso shall
16	be combined with funds appropriated under the same
17	heading and for the same purpose in Public Law 115-
18	254 and the aggregate of such amounts shall be available
19	for any of the same such purposes specified under this
20	heading or the same heading in Public Law $115-254$ with-
21	out limitation: Provided further, That such amount is des-
22	ignated by the Congress as being for an emergency re-
23	quirement pursuant to section $251(b)(2)(A)(i)$ of the Bal-
24	anced Budget and Emergency Deficit Control Act of 1985.



1	GENERAL PROVISION—THIS TITLE
2	Sec. 1001. (a) Amounts previously made available
3	for activities authorized under title I of the Housing and
4	Community Development Act of 1974 (42 U.S.C. 5301 et
5	seq.) related to disaster relief, long-term recovery, restora-
6	tion of infrastructure and housing, economic revitalization,
7	and mitigation in the most impacted and distressed areas
8	resulting from a major disaster, including funds provided
9	under section 145 of division C of Public Law 114–223,
10	section 192 of division C of Public Law 114–223 (as
11	added by section 101(3) of division A of Public Law 114-
12	254), section 421 of division K of Public Law 115–31,
13	and any mitigation funding provided under the heading
14	"Department of Housing and Urban Development—Com-
15	munity Planning and Development—Community Develop-
16	ment Fund" of Public Law 115–123, that were allocated
17	in response to Hurricane Matthew, may be used inter-
18	changeably and without limitation for the same activities
19	in the most impacted and distressed areas related to Hur-
20	ricane Florence. In addition, any funds provided under the
21	heading "Department of Housing and Urban Develop-
22	ment—Community Planning and Development—Commu-
23	nity Development Fund" in this division or in division I
24	of Public Law 115–254 that are allocated in response to
25	Humiana Florance may be used interchangeably and



- 1 without limitation for the same activities in the most im-
- 2 pacted and distressed areas related to Hurricane Matthew.
- 3 Until HUD publishes the Federal Register Notice imple-
- 4 menting this provision, grantees may submit for HUD ap-
- 5 proval revised plans for the use of funds related to Hurri-
- 6 cane Matthew that expand the eligible beneficiaries of ex-
- 7 isting programs contained in such previously approved
- 8 plans to include those impacted by Hurricane Florence.
- 9 Approval of any such revised plans shall include the execu-
- 10 tion of revised grant terms and conditions as necessary.
- 11 Once the implementing Notice is published, any additional
- 12 action plan revisions shall follow the requirements con-
- 13 tained therein.
- 14 (b) Amounts made available for administrative costs
- 15 for activities authorized under title I of the Housing and
- 16 Community Development Act of 1974 (42 U.S.C. 5301 et
- 17 seq.) related to disaster relief, long-term recovery, restora-
- 18 tion of infrastructure and housing, economic revitalization,
- 19 and mitigation in the most impacted and distressed areas
- 20 under this division or any future Act, and amounts pre-
- 21 viously provided under section 420 of division L of Public
- 22 Law 114–113, section 145 of division C of Public Law
- 23 114–223, section 192 of division C of Public Law 114–
- 24 223 (as added by section 101(3) of division A of Public
- 25 Law 114–254), section 421 of division K of Public Law



- 1 115–31, and under the heading "Department of Housing
- 2 and Urban Development—Community Planning and De-
- 3 velopment—Community Development Fund" of division B
- 4 of Public Law 115-56, Public Law 115-123, and Public
- 5 Law 115–254, shall be available for eligible administrative
- 6 costs of the grantee related to any disaster relief funding
- 7 identified in this subsection without regard to the par-
- 8 ticular disaster appropriation from which such funds origi-
- 9 nated.
- 10 (c) The additional uses pursuant to this section for
- 11 amounts that were previously designated by the Congress,
- 12 respectively, as an emergency requirement or as being for
- 13 disaster relief pursuant to the Balanced Budget and
- 14 Emergency Deficit Control Act are designated by the Con-
- 15 gress as being for an emergency requirement pursuant to
- 16 section 251(b)(2)(A)(i) of the Balanced Budget and
- 17 Emergency Deficit Control Act of 1985 or as being for
- 18 disaster relief pursuant to section 251(b)(2)(D) of the
- 19 Balanced Budget and Emergency Deficit Control Act of
- 20 1985.



1	TITLE XI
2	GENERAL PROVISIONS—THIS DIVISION
3	Sec. 1101. Each amount appropriated or made avail-
4	able by this division is in addition to amounts otherwise
5	appropriated for the fiscal year involved.
6	Sec. 1102. No part of any appropriation contained
7	in this division shall remain available for obligation beyond
8	the current fiscal year unless expressly so provided herein.
9	Sec. 1103. Unless otherwise provided for by this divi-
10	sion, the additional amounts appropriated by this division
11	to appropriations accounts shall be available under the au-
12	thorities and conditions applicable to such appropriations
13	accounts for fiscal year 2019.
14	SEC. 1104. Each amount designated in this division
15	by the Congress as being for an emergency requirement
16	pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
17	et and Emergency Deficit Control Act of 1985 shall be
18	available (or rescinded or transferred, if applicable) only
19	if the President subsequently so designates all such
20	amounts and transmits such designations to the Congress.
21	Sec. 1105. For purposes of this division, the con-
22	sequences or impacts of any hurricane shall include dam-
23	ages caused by the storm at any time during the entirety
24	of its duration as a cyclone, as defined by the National
25	Hurricane Center.



- 1 Sec. 1106. Any amount appropriated by this division,
- 2 designated by the Congress as an emergency requirement
- 3 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
- 4 et and Emergency Deficit Control Act of 1985 and subse-
- 5 quently so designated by the President, and transferred
- 6 pursuant to transfer authorities provided by this division
- 7 shall retain such designation.
- 8 This division may be cited as the "Additional Supple-
- 9 mental Appropriations for Disaster Relief, 2019".



1 DIVISION I—EXTENSIONS, TECHNICAL CORRECTIONS, AND OTHER MATTERS 2 TITLE I 3 4 IMMIGRATION EXTENSIONS 5 SEC. 101. Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8) U.S.C. 1324a note) shall be applied by substituting "Sep-8 tember 30, 2019" for "September 30, 2015". 9 SEC. 102. Subclauses 101(a)(27)(C)(ii)(II) and (III) of the Immigration and Nationality Act (8 U.S.C. 10 1101(a)(27)(C)(ii)(II) and (III)) shall be applied by substituting "September 30, 2019" for "September 30, 12 13 2015". 14 SEC. 103. Section 220(c) of the Immigration and Na-15 tionality Technical Corrections Act of 1994 (8 U.S.C. 16 1182 note) shall be applied by substituting "September 17 30, 2019" for "September 30, 2015". 18 SEC. 104. Section 610(b) of the Departments of 19 Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) 21 shall be applied by substituting "September 30, 2019" for 22 "September 30, 2015". 23 Sec. 105. Notwithstanding the numerical limitation set forth in section 214(g)(1)(B) of the Immigration and



Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary

1	of Homeland Security, after consultation with the Sec-
2	retary of Labor, and upon the determination that the
3	needs of American businesses cannot be satisfied in fiscal
4	year 2019 with United States workers who are willing,
5	qualified, and able to perform temporary nonagricultural
6	labor, may increase the total number of aliens who may
7	receive a visa under section $101(a)(15)(H)(ii)(b)$ of such
8	Act (8 U.S.C. $1101(a)(15)(H)(ii)(b)$) in such fiscal year
9	above such limitation by not more than the highest num-
10	ber of H–2B nonimmigrants who participated in the H–
11	2B returning worker program in any fiscal year in which
12	returning workers were exempt from such numerical limi-
13	tation.
14	TITLE II
15	PESTICIDE REGISTRATION IMPROVEMENT ACT
16	EXTENSION
17	Sec. 201. (a) The following sections of the Federal
18	Insecticide, Fungicide, and Rodenticide Act shall continue
19	in effect through September 30, 2019—
20	(1) subparagraphs (C) through (E) of section
21	4(i)(1) (7 U.S.C. $136a-1(i)(1)(C)-(E)$);
22	(2) section $4(k)(3)$ (7 U.S.C. $136a-1(k)(3)$);
23	(3) section $4(k)(4)$ (7 U.S.C. $136a-1(k)(4)$);
24	



- 1 (4) section 33(c)(3)(B) (7 U.S.C. 136w–
- 8(c)(3)(B).
- 3 (b)(1) Section 4(i)(1)(I) of the Federal Insecticide,
- 4 Fungicide, and Rodenticide Act (7 U.S.C. 136a-
- 5 1(i)(1)(I) shall be applied by substituting "September 30,
- 6 2019" for "September 30, 2017".
- 7 (2) Notwithstanding section 33(m)(2) of the
- 8 Federal Insecticide, Fungicide, and Rodenticide Act
- 9 (7 U.S.C. 136w-8(m)(2)), section 33(m)(1) of such
- 10 Act (7 U.S.C. 136w-8(m)(1)) shall be applied by
- 11 substituting "September 30, 2019" for "September
- 12 30, 2017".
- (c) Section 408(m)(3) of the Federal Food, Drug,
- 14 and Cosmetic Act (21 U.S.C. 346a(m)(3)) shall be applied
- 15 by substituting "September 30, 2019" for "September 30,
- 16 2017".
- 17 TITLE III
- 18 VIOLENCE AGAINST WOMEN ACT EXTENSION
- 19 Sec. 301. Any program, authority, or provision, in-
- 20 cluding any pilot program, authorized under the Violence
- 21 Against Women Reauthorization Act of 2013 (Public Law
- 22 113–4; 127 Stat. 54) shall continue in effect through Sep-
- 23 tember 30, 2019.



1	TITLE IV
2	PANDEMIC AND ALL-HAZARDS PREPAREDNESS
3	EXTENSIONS
4	Sec. 401. Section 319L(e)(1)(A) of the Public
5	Health Service Act (42 U.S.C. 247d–7e(e)(1)(A)) shall
6	continue in effect through September 30, 2019.
7	Sec. 402. Section 405(a) of the Pandemic and All-
8	Hazards Preparedness Act (42 U.S.C. 247d–6a note) shall
9	continue in effect through September 30, 2019.
10	TITLE V
11	TEMPORARY ASSISTANCE FOR NEEDY
12	FAMILIES PROGRAM EXTENSION
13	Sec. 501. Activities authorized by part A of title IV
14	and section 1108(b) of the Social Security Act shall con-
15	tinue through June 30, 2019, in the manner authorized
16	for fiscal year 2018, and out of any money in the Treasury
17	of the United States not otherwise appropriated, there are
18	hereby appropriated such sums as may be necessary for
19	such purpose.
20	TITLE VI
21	TECHNICAL CORRECTIONS
22	Sec. 601. (a) Section 3(20)(B) of the Carl D. Per-
23	kins Career and Technical Education Act of 2006 (20
24	U.S.C. 2302(20)(B)), as amended by section 7 of the
25	Strongthoning Caroon and Tochnical Education for the



- 1 21st Century Act (Public Law 115–224), is amended by
- 2 inserting ", except that, for the purpose of section 132,
- 3 the term 'recognized postsecondary credential' as used in
- 4 this subparagraph shall not include a baccalaureate de-
- 5 gree" after "associate degree".
- 6 (b) The amendment made by subsection (a) shall take
- 7 effect on July 1, 2019, as if included in the Strengthening
- 8 Career and Technical Education for the 21st Century Act
- 9 (Public Law 115–224).
- Sec. 602. Section 243 of title II of division C of Pub-
- 11 lic Law 115-244 is amended by inserting "248" after
- 12 "section".
- 13 Sec. 603. Section 177 of division C of Public Law
- 14 114-223, as amended by Public Law 114-254, is amend-
- 15 ed by inserting "and the 116th Congress" after "the
- 16 115th Congress" in each instance it appears.
- 17 Sec. 604. (a) During fiscal year 2019 and each suc-
- 18 ceeding fiscal year, amounts appropriated or otherwise
- 19 made available for the Architect of the Capitol under the
- 20 heading "House Office Buildings" may be transferred to
- 21 the House of Representatives and merged with and made
- 22 available under the heading "Allowances and Expenses",
- 23 subject to the approval of the Committee on Appropria-
- 24 tions of the House of Representatives.



- 1 (b) The period of availability of any amounts trans-
- 2 ferred to the House of Representatives under this section
- 3 shall be the same period of availability applicable to such
- 4 amounts as appropriated for the Architect of the Capitol.
- 5 Sec. 605. Amounts made available in divisions A
- 6 through G of this Act for personnel pay, allowances, and
- 7 benefits in each department and agency shall be available
- 8 for obligations incurred pursuant to 31 U.S.C. 1341.
- 9 Sec. 606. All obligations incurred and in anticipation
- 10 of the appropriations made and authority granted by divi-
- 11 sions A through G of this Act for the purposes of main-
- 12 taining the essential level of activity to protect life and
- 13 property and bringing about orderly termination of Gov-
- 14 ernment function, and for purposes as otherwise author-
- 15 ized by law, are hereby ratified and approved if otherwise
- 16 in accord with the provisions of divisions A through G of
- 17 this Act.
- 18 Sec. 607. For the purposes of this division and divi-
- 19 sions A through G of this Act, the time covered by those
- 20 divisions shall be considered to include the period which
- 21 began on or about December 22, 2018, during which there
- 22 occurred a lapse in appropriations.
- Sec. 608. (a) If a State (or another Federal grantee)
- 24 used State funds (or the grantee's non-Federal funds) to
- 25 continue carrying out a Federal program or furloughed



1	State employees (or the grantee's employees) whose com-
2	pensation is advanced or reimbursed in whole or in part
3	by the Federal Government—
4	(1) such furloughed employees shall be com-
5	pensated at their standard rate of compensation for
6	such period;
7	(2) the State (or such other grantee) shall be
8	reimbursed for expenses that would have been paid
9	by the Federal Government during such period had
10	appropriations been available, including the cost of
11	compensating such furloughed employees, together
12	with interest thereon calculated under section
13	6503(d) of title 31, United States Code; and
14	(3) the State (or such other grantee) may use
15	funds available to the State (or the grantee) under
16	such Federal program to reimburse such State (or
17	the grantee), together with interest thereon cal-
18	culated under section 6503(d) of title 31, United
19	States Code.
20	(b) For purposes of this section, the term "State"
21	and the term "grantee" shall have the meaning as such
22	term is defined under the applicable Federal program
23	under subsection (a). In addition, "to continue carrying
24	out a Federal program" means the continued performance
25	by a State or other Federal grantee, during the period



- 1 of a lapse in appropriations, of a Federal program that
- 2 the State or such other grantee had been carrying out
- 3 prior to the period of the lapse in appropriations.
- 4 (c) The authority under this section applies with re-
- 5 spect to any period in fiscal year 2019 (not limited to peri-
- 6 ods beginning or ending after the date of the enactment
- 7 of this Act) during which there occurs a lapse in appro-
- 8 priations with respect to any department or agency of the
- 9 Federal Government which, but for such lapse in appro-
- 10 priations, would have paid, or made reimbursement relat-
- 11 ing to, any of the expenses referred to in this section with
- 12 respect to the program involved. Payments and reimburse-
- 13 ments under this authority shall be made only to the ex-
- 14 tent and in amounts provided in advance in appropriations
- 15 Acts.
- 16 Sec. 609. Subsection (c)(2) of section 1341 of title
- 17 31, United States Code, is amended by inserting ", and
- 18 subject to the enactment of appropriations Acts ending the
- 19 lapse" before the period.
- 20 TITLE VII
- 21 HARBOR MAINTENANCE TRUST FUND
- 22 Sec. 701. In subsequent fiscal years, any discre-
- 23 tionary appropriation derived from the Harbor Mainte-
- 24 nance Trust Fund (not to exceed the total amount depos-
- 25 ited in the Harbor Maintenance Trust Fund in the prior



1	fiscal year) shall be subtracted from the estimate of discre-
2	tionary budget authority and outlays for any estimate of
3	an appropriations Act under the Congressional Budget
4	and Impoundment Control Act of 1974 or the Balanced
5	Budget and Emergency Deficit Control Act of 1985.
6	TITLE VIII
7	CONSUMER FINANCIAL PROTECTION BUREAU-
8	INSPECTOR GENERAL REFORM
9	SHORT TITLE
10	SEC. 801. This title may be cited as the "Consumer
11	Financial Protection Bureau-Inspector General Reform
12	Act".
13	APPOINTMENT OF INSPECTOR GENERAL
14	Sec. 802. The Inspector General Act of 1978 (5
15	U.S.C. App.) is amended—
16	(1) in section 8G—
17	(A) in subsection (a)(2), by striking "and
18	the Bureau of Consumer Financial Protection";
19	(B) in subsection (c), by striking "For
20	purposes of implementing this section" and all
21	that follows through the end of the subsection;
22	and
23	(C) in subsection (g)(3), by striking "and
24	the Bureau of Consumer Financial Protection";
25	and



1	(2) in section 12—
2	(A) in paragraph (1), by inserting "the Di-
3	rector of the Bureau of Consumer Financia
4	Protection;" after "the President of the Export-
5	Import Bank;"; and
6	(B) in paragraph (2), by inserting "the
7	Bureau of Consumer Financial Protection,"
8	after "the Export-Import Bank,".
9	REQUIREMENTS FOR THE INSPECTOR GENERAL FOR THE
10	BUREAU OF CONSUMER FINANCIAL PROTECTION
11	SEC. 803. (a) ESTABLISHMENT.—Section 1011 of
12	the Dodd-Frank Wall Street Reform and Consumer Pro-
13	tection Act (12 U.S.C. 5491) is amended—
14	(1) in subsection (b)—
15	(A) in the subsection heading, by striking
16	"AND DEPUTY DIRECTOR" and inserting ",
17	DEPUTY DIRECTOR, AND INSPECTOR GEN-
18	ERAL"; and
19	(B) by inserting after paragraph (5) the
20	following:
21	"(6) Inspector general.—There is estab-
22	lished the position of the Inspector General."; and
23	(2) in subsection (d), by striking "or Deputy
24	Director" each place it appears and inserting "
25	Deputy Director, or Inspector General".



1	(b) Funding for Office of Inspector Gen-
2	ERAL.—Section 1017(a)(2) of the Dodd-Frank Wall
3	Street Reform and Consumer Protection Act (12 U.S.C.
4	5497(a)(2)) is amended—
5	(1) by redesignating subparagraph (C) as sub-
6	paragraph (D); and
7	(2) by inserting after subparagraph (B) the fol-
8	lowing:
9	"(C) Funding for office of inspector
10	GENERAL.—
11	"(i) In general.—Beginning in the
12	first fiscal year beginning after the date
13	that is 6 months after the date of enact-
14	ment of the Consumer Financial Protec-
15	tion Bureau-Inspector General Reform
16	Act, each fiscal year (or quarter of such
17	fiscal year), the Board of Governors shall
18	transfer to the Inspector General from the
19	combined earnings of the Federal Reserve
20	System the amount determined by the In-
21	spector General to be reasonably necessary
22	to carry out the authorities of the Inspec-
23	tor General, taking into account such other
24	sums made available to the Inspector Gen-



1	eral from the preceding fiscal year (or
2	quarter of such fiscal year).
3	"(ii) Limitation.—Funds transferred
4	each fiscal year under clause (i) shall not
5	exceed 2 percent of the maximum amount
6	eligible to be transferred to the Bureau
7	pursuant to paragraph (1) and shall not be
8	considered in calculating the funding car
9	for the Bureau established under subpara-
10	graph (A).".
11	(c) Participation in the Council of Inspectors
12	GENERAL ON FINANCIAL OVERSIGHT.—Section
13	989E(a)(1) of such Act is amended by adding at the end
14	the following:
15	"(J) The Bureau of Consumer Financial
16	Protection.".
17	EFFECTIVE DATE
18	Sec. 804. The amendments made by this title shall
19	take effect on the date that is 60 days after the date of
20	enactment of this Act.
21	TRANSITION PERIOD
22	Sec. 805. (a) In General.—The Inspector General
23	of the Board of Governors of the Federal Reserve System
24	and the Bureau of Consumer Financial Protection shall
25	serve in that position and maintain all of its authorities



1	until an Inspector General of the Bureau of Consumer Fi-
2	nancial Protection—
3	(1) has been confirmed; and
4	(2) submits to Congress a written notification
5	that the powers and authorities of the Inspector
6	General of the Board of Governors of the Federal
7	Reserve System and the Bureau of Consumer Finan-
8	cial Protection can be orderly transferred to the In-
9	spector General of the Bureau of Consumer Finan-
10	cial Protection without interruption or lapse in over-
11	sight responsibilities.
12	(b) Inspector General of the Board of Gov-
13	ERNORS OF THE FEDERAL RESERVE SYSTEM.—On the
14	date on which the Inspector General of the Bureau of Con-
15	sumer Financial Protection submits the written notifica-
16	tion required under subsection (a), the Inspector General
17	of the Board of Governors of the Federal Reserve System
18	and the Bureau of Consumer Financial Protection shall
19	become the Inspector General of the Board of Governors
20	of the Federal Reserve System.
21	TITLE IX
22	BUDGETARY EFFECTS
23	Sec. 901. (a) Statutory PAYGO Scorecards.—
24	The budgetary effects of this division and each succeeding
25	division shall not be entered on either PAYGO scorecard



- 1 maintained pursuant to section 4(d) of the Statutory Pay-
- 2 As-You-Go Act of 2010.
- 3 (b) Senate PAYGO Scorecards.—The budgetary
- 4 effects of this division and each succeeding division shall
- 5 not be entered on any PAYGO scorecard maintained for
- 6 purposes of section 4106 of H. Con. Res. 71 (115th Con-
- 7 gress).
- 8 (c) Classification of Budgetary Effects.—
- 9 Notwithstanding Rule 3 of the Budget Scorekeeping
- 10 Guidelines set forth in the joint explanatory statement of
- 11 the committee of conference accompanying Conference Re-
- 12 port 105–217 and section 250(c)(8) of the Balanced
- 13 Budget and Emergency Deficit Control Act of 1985, the
- 14 budgetary effects of this division and each succeeding divi-
- 15 sion shall not be estimated—
- 16 (1) for purposes of section 251 of such Act; and
- 17 (2) for purposes of paragraph (4)(C) of section
- 18 3 of the Statutory Pay-As-You-Go Act of 2010 as
- being included in an appropriation Act.
- 20 (d) PAYGO ANNUAL REPORT.—For the purposes of
- 21 the annual report issued pursuant to section 5 of the Stat-
- 22 utory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after
- 23 adjournment of the second session of the 115th Congress,
- 24 and for determining whether a sequestration order is nec-
- 25 essary under such section, the debit for the budget year



- 1 on the 5-year scorecard, if any, and the 10-year scorecard,
- 2 if any, shall be deducted from such scorecard in 2019 and
- 3 added to such scorecard in 2020.



DIVISION J—VULNERABLE IMMI-**PROTECTION GRANTS** AND 2 SECURITY ACT 3 SEC. 101. SHORT TITLE. This division may be cited as the "Vulnerable Immi-5 grants Protection and Security Act". 7 SEC. 102. PROVISIONAL PROTECTED PRESENCE FOR 8 YOUNG INDIVIDUALS. 9 (a) IN GENERAL.—Chapter 4 of title II of the Immi-10 gration and Nationality Act (8 U.S.C. 1221 et seq.) is 11 amended by adding at the end the following: 12 "SEC. 244A. PROVISIONAL PROTECTED PRESENCE. 13 "(a) Definitions.—In this section: 14 "(1) Criminal gang.— 15 "(A) IN GENERAL.—The term 'criminal 16 gang' means an ongoing group, club, organiza-17 tion, or association of 5 or more persons— "(i) that has, as 1 of its primary pur-18 19 poses, the commission of 1 or more of the 20 criminal offenses listed in subparagraph 21 (B), whether in violation of Federal or 22 State law or foreign law and regardless of 23 whether the offenses occurred before, on, 24 or after the date of the enactment of this



25

section; and

1	"(ii) the members of which engage, or
2	have engaged during the past 5 years, in
3	a continuing series of such offenses.
4	"(B) Criminal offenses.—The criminal
5	offenses listed in this subparagraph are—
6	"(i) a felony drug offense (as defined
7	in section 102 of the Controlled Sub-
8	stances Act (21 U.S.C. 802));
9	"(ii) a felony offense involving fire-
10	arms or explosives or in violation of section
11	931 of title 18, United States Code (relat-
12	ing to purchase, ownership, or possession
13	of body armor by violent felons);
14	"(iii) an offense under section 274
15	(relating to bringing in and harboring cer-
16	tain aliens), section 277 (relating to aiding
17	or assisting certain aliens to enter the
18	United States), or section 278 (relating to
19	importation of alien for immoral purpose);
20	"(iv) an offense that—
21	"(I) has, as an element of the of-
22	fense, the use, attempted use, or
23	threatened use of violent physical
24	force against the person or property
25	of another; or



1	"(II) by its nature, involves a
2	substantial risk that violent physical
3	force against the person or property
4	of another may be used in the course
5	of committing the offense;
6	"(v) a crime involving obstruction of
7	justice or tampering with or retaliating
8	against a witness, victim, or informant;
9	"(vi) any conduct punishable under—
10	"(I) section 1028A or 1029 of
11	title 18, United States Code (relating
12	to aggravated identity theft or fraud
13	and related activity in connection with
14	identification documents or access de-
15	vices);
16	"(II) sections 1581 through 1594
17	of such title (relating to peonage, slav-
18	ery, and trafficking in persons);
19	"(III) section 1951 of such title
20	(relating to interference with com-
21	merce by threats or violence);
22	"(IV) section 1952 of such title
23	(relating to interstate and foreign
24	travel or transportation in aid of rack-
25	eteering enterprises);



1	"(V) section 1956 of such title
2	(relating to the laundering of mone-
3	tary instruments);
4	"(VI) section 1957 of such title
5	(relating to engaging in monetary
6	transactions in property derived from
7	specified unlawful activity); or
8	"(VII) sections 2312 through
9	2315 of such title (relating to inter-
10	state transportation of stolen motor
11	vehicles or stolen property); and
12	"(vii) a conspiracy to commit any of
13	the offenses described in clauses (i)
14	through (vi).
15	"(2) DACA RECIPIENT.—The term 'DACA re-
16	cipient' means an alien who was granted deferred
17	action status on or before the date of the enactment
18	of this section pursuant to the Deferred Action for
19	Childhood Arrivals ('DACA') Program announced on
20	June 15, 2012.
21	"(3) Felony.—The term 'felony' means a Fed-
22	eral, State, or local criminal offense punishable by
23	imprisonment for a term exceeding 1 year.
24	"(4) MISDEMEANOR.—The term 'misdemeanor'
25	means a Federal, State, or local criminal offense for



1	which the maximum term of imprisonment is not
2	longer than 1 year.
3	"(5) Secretary.—The term 'Secretary' means
4	the Secretary of Homeland Security.
5	"(6) Sexual assault or harassment.—The
6	term 'sexual assault or harassment' means—
7	"(A) conduct engaged in by an alien who
8	is at least 18 years of age, consisting of unwel-
9	come sexual advances, requests for sexual fa-
10	vors, or other verbal or physical conduct of a
11	sexual nature if—
12	"(i) submission to such conduct is
13	made either explicitly or implicitly a term
14	or condition of an individual's employment;
15	"(ii) submission to, or rejection of,
16	such conduct by an individual is used as
17	the basis for employment decisions affect-
18	ing such individual; or
19	"(iii) such conduct has the purpose or
20	effect of creating an intimidating, hostile,
21	or offensive environment;
22	"(B) conduct constituting the criminal of-
23	fense of rape, statutory rape, or any offense of
24	a sexual nature involving a victim who was
25	younger than 18 years of age.



1	"(C) sexual conduct with—
2	"(i) a minor who was younger than 14
3	years of age; or
4	"(ii) a minor who was younger than
5	16 years of age if the perpetrator was at
6	least 4 years older than the minor;
7	"(D) conduct punishable under section
8	2251 or 2251A of title 18, United States Code
9	(relating to the sexual exploitation of children
10	and the selling or buying of children), or section
11	2252 or 2252A of such title (relating to certain
12	activities relating to material involving the sex-
13	ual exploitation of minors or relating to mate-
14	rial constituting or containing child pornog-
15	raphy); or
16	"(E) conduct constituting the elements of
17	any other Federal or State sexual offense re-
18	quiring a defendant, if convicted, to register on
19	a sexual offender registry (except that this pro-
20	vision shall not apply to convictions solely for
21	urinating or defecating in public).
22	"(7) SIGNIFICANT MISDEMEANOR.—The term
23	'significant misdemeanor' means a Federal, State, or
24	local criminal offense for which the maximum term
25	of imprisonment is not longer than 1 year that—



1	"(A) regardless of the sentence imposed,
2	is—
3	"(i) an offense relating to a crime of
4	domestic violence (as defined in section
5	237(a)(2)(E)(i) of this Act or in section
6	40002(a) of the Violence Against Women
7	Act of 1994 (34 U.S.C. 12291(a)) or a
8	misdemeanor crime of domestic violence
9	(as defined in section 921(a)(33) of title
10	18, United States Code);
11	"(ii) an offense involving or relating
12	to sexual abuse or exploitation, burglary,
13	unlawful possession or use of a firearm, or
14	drug distribution or trafficking; or
15	"(iii) an offense of driving under the
16	influence if the State law requires, as an
17	element of the offense, the operation of a
18	motor vehicle and a finding of impairment
19	or a blood alcohol content of .08 percent or
20	higher; or
21	"(B) resulted in a sentence of time in cus-
22	tody of longer than 90 days.
23	"(8) Threat to national security.—An
24	alien is a 'threat to national security' if the alien
25	is



1	"(A) inadmissible under section 212(a)(3)
2	or
3	"(B) deportable under section 237(a)(4).
4	"(9) Threat to public safety.—An alien is
5	a 'threat to public safety' if the alien—
6	"(A) has been charged or convicted of an
7	offense for which an element was participation
8	in a criminal street gang (as defined in section
9	521(a) of title 18, United States Code);
10	"(B) has engaged in a continuing criminal
11	enterprise (as defined in section 408(c) of the
12	Comprehensive Drug Abuse Prevention and
13	Control Act of 1970 (21 U.S.C. 848(c))); or
14	"(C) has participated in criminal conduct
15	including criminal gang activity, that the Sec-
16	retary has determined to pose a threat to public
17	safety.
18	"(b) Authorization.—The Secretary—
19	"(1) may grant provisional protected presence
20	to an alien who—
21	"(A) files an application demonstrating
22	that he or she meets the eligibility criteria de-
23	scribed in subsection (c); and
24	"(B) nave the appropriate application fee



1	"(2) may not remove an alien described in
2	paragraph (1) from the United States during the pe-
3	riod in which such provisional protected presence is
4	in effect unless such deferred action is rescinded
5	pursuant to subsection (g); and
6	"(3) may provide such alien with employment
7	authorization, upon the request of the alien, after
8	the alien has paid the applicable fees.
9	"(c) Eligibility Criteria.—An alien is eligible for
10	provisional protected presence and employment authoriza-
11	tion under this section if the alien establishes, by clear
12	and convincing evidence, that the alien—
13	"(1) was born after June 15, 1981;
14	"(2) entered the United States before attaining
15	16 years of age;
16	"(3) continuously resided in the United States
17	between June 15, 2007, and the date on which the
18	alien files an application under this section;
19	"(4) was physically present in the United
20	States—
21	"(A) on June 15, 2012; and
22	"(B) on the date on which the alien files
23	an application under this section;
24	"(5) was unlawfully present in the United
25	States on June 15, 2012:



1	"(6) on the date on which the alien files an ap-
2	plication for provisional protected presence under
3	this section—
4	"(A) is enrolled in school or in an accred-
5	ited education program assisting students in ob-
6	taining a regular high school diploma or its rec-
7	ognized equivalent under State law, or in pass-
8	ing a general educational development exam or
9	other State-authorized exam;
0	"(B) has graduated or obtained a certifi-
1	cate of completion from high school;
2	"(C) has obtained a general educational
3	development certificate; or
4	"(D) is an honorably discharged veteran of
5	the Armed Forces of the United States;
6	"(7) has not been convicted of—
7	"(A) a felony;
8	"(B) a significant misdemeanor; or
9	"(C) 3 or more misdemeanors not occur-
20	ring on the same date and not arising out of
21	the same act, omission, or scheme of mis-
22	conduct;
23	"(8) does not otherwise pose a threat to na-
24	tional security or a threat to public safety;



1	"(9) has not been adjudicated delinquent in a
2	State or local juvenile court proceeding for an of-
3	fense equivalent to—
4	"(A) an offense relating to murder, man-
5	slaughter, homicide, rape (whether the victim
6	was conscious or unconscious), statutory rape,
7	or any offense of a sexual nature involving a
8	victim who was younger than 18 years of age;
9	"(B) an offense that—
10	"(i) has, as an element of the offense,
11	the use, attempted use, or threatened use
12	of violent physical force against the person
13	or property of another; or
14	"(ii) by its nature, involves a substan-
15	tial risk that violent physical force against
16	the person or property of another may be
17	used in the course of committing the of-
18	fense (including offenses committed reck-
19	lessly if they otherwise qualify); or
20	"(C) an offense punishable under section
21	401 of the Controlled Substances Act (21
22	U.S.C. 841);
23	"(10) has not been convicted for any other
24	criminal offense, with regard to which the alien has
25	not satisfied any civil legal judgments awarded to



1	any victims (or family members of victims) of the
2	crime;
3	"(11)(A) is not, and has never been, a member
4	of a criminal gang; and
5	"(B) has never participated in the activities of
6	a criminal gang, knowing or having reason to know
7	that such activities would promote, further, aid, or
8	support the illegal activity of the criminal gang;
9	"(12) is not inadmissible under section 212(a),
0	except that in determining the alien's inadmis-
1	sibility—
12	"(A) paragraphs (5) , (7) , and (9) (B) of
13	such subsection shall not apply; and
4	"(B) subparagraphs (A), (D), and (G) of
15	paragraph (6), and paragraphs (9)(C)(i)(I) and
16	(10)(B), of such subsection shall not apply, ex-
17	cept for an alien who unlawfully entered the
18	United States after June 15, 2007;
19	"(13) is not deportable under section 237(a),
20	except that in determining the alien's deportability
21	subparagraphs (B) through (D) of paragraph (1) of
22	such subsection and paragraph (3)(A) of such sub-
23	section shall not apply;
24	"(14) has not failed to comply with the require-
25	ments of any removal order pursuant to section 240



1	or any grant of voluntary departure pursuant to sec-
2	tion 240B;
3	"(15) has not been ordered removed in absentia
4	pursuant to section 240(b)(5)(A);
5	"(16) if at least 18 years of age, has dem-
6	onstrated that he or she is able to maintain himself
7	or herself at an annual income that is not less than
8	125 percent of the Federal poverty level while main-
9	taining DACA benefits, unless the alien has dem-
10	onstrated that the alien is enrolled in, and is en-
11	gaged in a full course of study at, an educational in-
12	stitution within the United States;
13	"(17) is not delinquent with respect to any Fed-
14	eral, State, or local income or property tax liability;
15	"(18) has paid to the Treasury of the United
16	States, in addition to any amounts owed, an amount
17	equal to the aggregate value of any disbursements
18	received by such alien for refunds described in sec-
19	tion 1324(b)(2) of title 31, United States Code;
20	"(19) has not, at any time, engaged in sexual
21	assault or harassment; and
22	"(20) is a DACA recipient in good standing as
23	of the date on which the alien files an application for
24	provisional protected presence under this section.



1	"(d) Duration of Provisional Protected Pres-
2	ENCE AND EMPLOYMENT AUTHORIZATION.—
3	"(1) DACA RECIPIENTS.—A DACA recipient
4	whose deferred action status had not expired as of
5	the date of the enactment of the Vulnerable Immi-
6	grants Protection and Security Act—
7	"(A) is deemed to have provisional pro-
8	tected presence under this section until the ex-
9	piration date of the alien's deferred action
10	grant, as specified by the Secretary in conjunc-
11	tion with the approval of such grant; and
12	"(B) is eligible to apply for provisional
13	protected presence under this section.
14	"(2) Effective Period.—A grant of provi-
15	sional protected presence and the employment au-
16	thorization under this section—
17	"(A) shall be effective until the date that
18	is 3 years after the date on which the applica-
19	tion for such benefit is approved under this sec-
20	tion; and
21	"(B) may not be renewed or extended.
22	"(e) Status During Period of Provisional Pro-
23	TECTED PRESENCE.—
24	"(1) In general.—An alien granted provi-
25	sional protected presence under this section is not



1	considered to be unlawfully present in the United
2	States during the period beginning on the date or
3	which deferred action is granted and ending on the
4	date described in subsection $(d)(1)$.
5	"(2) Status outside period.—The granting
6	of provisional protected presence under this section
7	does not excuse previous or subsequent periods of
8	unlawful presence.
9	"(f) APPLICATION.—
10	"(1) In general.—An alien may apply for
11	provisional protected presence under this section by
12	electronically submitting a completed application to
13	the Secretary during the application period set forth
14	in paragraph (2), in accordance with the interim
15	final rule issued by the Secretary under section
16	102(d) of the Vulnerable Immigrants Protection and
17	Security Act.
18	"(2) Application Period.—The Secretary
19	may only accept applications for provisional pro-
20	tected presence from aliens in the United States
21	during the 2-year period beginning on the date or
22	which the interim final rule is published in the Fed-
23	eral Register pursuant to such section 102(d).
24	"(3) Application form —



1	"(A) REQUIRED INFORMATION.—The ap-
2	plication form referred to in paragraph (1) shall
3	collect such information as the Secretary deter-
4	mines to be necessary and appropriate to deter-
5	mine whether an alien meets the eligibility cri-
6	teria set forth in subsection (c).
7	"(B) Interview.—The Secretary shall
8	conduct in-person interviews of high-risk appli-
9	cants for provisional protected presence under
10	this section as part of the determination as to
11	whether the alien meets the eligibility criteria
12	set forth in subsection (b).
13	"(4) Age requirement.—An alien who has
14	never been in removal proceedings, or whose removal
15	proceedings under section 240 were terminated be-
16	fore making a request for provisional protected pres-
17	ence, shall be at least 15 years of age on the date
18	on which the alien submits an application under this
19	section.
20	"(5) Application fees.—
21	"(A) IN GENERAL.—The Secretary may re-
22	quire each alien applying for provisional pro-
23	tected presence and employment authorization
24	under this section to pay reasonable fees that



1	are commensurate with the cost of processing
2	such application, including—
3	"(i) capturing and processing biomet-
4	ric information;
5	"(ii) conducting national security and
6	criminal background checks;
7	"(iii) preventing and investigating
8	fraud; and
9	"(iv) administering the collection of
10	such fee.
11	"(B) Security fee.—In addition to the
12	fees authorized under subparagraph (A), each
13	alien applying for provisional protected presence
14	under this section shall pay a security fee to the
15	Department of Homeland Security in an
16	amount equal to \$500.
17	"(C) Exemption.—An applicant may be
18	exempted from paying the fees required under
19	subparagraphs (A) and (B) if the alien—
20	"(i)(I) is younger than 18 years of
21	age;
22	"(II) received total income during the
23	12-month period immediately preceding the
24	date on which the alien files an application
25	under this section that is less than 150



1	percent of the United States poverty level;
2	and
3	"(III) is in foster care or otherwise
4	lacking any parental or other familial sup-
5	port;
6	"(ii) is younger than 18 years of age
7	and is homeless;
8	"(iii)(I) cannot care for himself or
9	herself because of a serious, chronic dis-
0	ability; and
1	"(II) received total income during the
2	12-month period immediately preceding the
13	date on which the alien files an application
4	under this section that is less than 150
5	percent of the United States poverty level;
6	or
7	"(iv)(I) as of the date on which the
8	alien files an application under this sec-
9	tion, has accumulated \$10,000 or more in
20	debt in the immediately preceding 12
21	months as a result of unreimbursed med-
22	ical expenses incurred by the alien or an
23	immediate family member of the alien; and
24	"(II) received total income during the
25	12-month period immediately preceding the



1	date on which the alien files an application
2	under this section that is less than 150
3	percent of the United States poverty level
4	"(D) Deposit and use of fees.—
5	"(i) Processing fee.—Fees col-
6	lected pursuant to subparagraph (A) shal
7	be deposited into the Immigration Exami
8	nations Fee Account pursuant to section
9	286(m).
10	"(ii) Security fee.—Fees collected
11	pursuant to subparagraph (B) shall be de
12	posited into the Immigration Enforcement
13	Account established under section 280(b)
14	and shall be available to the Secretary of
15	Homeland Security until expended for the
16	purposes described in paragraph (3)(A) of
17	such subsection.
18	"(6) Aliens apprehended before or dur
19	ING THE APPLICATION PERIOD.—Upon request, if ar
20	alien who is apprehended during the application pe
21	riod appears prima facie eligible for provisional pro-
22	tected presence under this section, to the satisfaction
23	of the Secretary, the Secretary—



1	"(A) shall provide the alien with a reason-
2	able opportunity to file an application under
3	this section during the application period; and
4	"(B) may not remove the alien until the
5	Secretary has denied the application, unless the
6	Secretary, in the Secretary's sole and
7	unreviewable discretion, determines that expedi-
8	tious removal of the alien is in the national se-
9	curity, public safety, or foreign policy interests
10	of the United States.
11	"(7) Suspension of Removal during appli-
12	CATION PERIOD.—
13	"(A) ALIENS IN REMOVAL PRO-
14	CEEDINGS.—Notwithstanding any other provi-
15	sion under this section, if the Secretary deter-
16	mines that an alien, during the 6-month period
17	beginning on the date of the enactment of this
18	section, is in removal, deportation, or exclusion
19	proceedings before the Executive Office for Im-
20	migration Review and is prima facie eligible for
21	provisional protected presence under this sec-
22	tion, the Secretary shall provide the alien with
23	the opportunity to file an application for de-
24	ferred action unless the Secretary determines
25	such alien to be a threat to public safety or na-



1	tional security, provided that such opportunity
2	shall not serve as a basis to pause, continue, or
3	otherwise delay proceedings before the Execu-
4	tive Office for Immigration Review.
5	"(B) Period pending adjudication of
6	APPLICATION.—
7	"(i) In general.—Except as pro-
8	vided in clause (ii), during the period be-
9	ginning on the date on which an alien ap-
10	plies for provisional protected presence
11	under subsection (b)(1) and ending on the
12	date on which the Secretary makes a de-
13	termination regarding such application, an
14	alien with an administratively final order
15	of removal may be removed from the
16	United States unless the Secretary makes
17	a prima facie determination that such alien
18	is, or has become, eligible for provisional
19	protected presence under subsection (b).
20	"(ii) Exception.—The Secretary, in
21	the Secretary's sole and unreviewable dis-
22	cretion, may proceed with the removal of
23	an alien described in clause (i) if the Sec-
24	retary determines that the removal of the
25	alien is in the national security, public



1	safety, or foreign policy interest of the
2	United States.
3	"(8) Evidentiary requirements.—
4	"(A) Burden of Proof.—Applicants for
5	provisional protected presence under this sec-
6	tion bear the sole burden of proof of estab-
7	lishing eligibility for each requirement under
8	subsection (c), including proving that a bar
9	based on a conviction does not apply.
10	"(B) Affidavits.—An application may
11	not be granted based solely on affidavits used
12	to establish any requirement under subsection
13	(c).
14	"(C) REQUIRED DOCUMENTS.—Each ap-
15	plication filed by an alien under this section
16	shall include—
17	"(i) to demonstrate the alien's iden-
18	tity—
19	"(I) a passport (or national iden-
20	tity document) from the alien's coun-
21	try of origin;
22	"(II) a certified birth certificate
23	along with photo identification;



1	"(III) a State-issued identifica-
2	tion card bearing the alien's name and
3	photograph;
4	"(IV) an Armed Forces identi-
5	fication card issued by the Depart-
6	ment of Defense;
7	"(V) a Coast Guard identification
8	card issued by the Department of
9	Homeland Security;
10	"(VI) a document issued by the
11	Department of Homeland Security; or
12	"(VII) a travel document issued
13	by the Department of State;
14	"(ii) to demonstrate that the alien
15	satisfies the requirements under para-
16	graphs (1) and (2) of subsection (c), a cer-
17	tified copy of the alien's birth certificate or
18	certified school transcript; and
19	"(iii) to demonstrate that the alien
20	satisfies the requirements under subsection
21	(e)(6)—
22	"(I) a certified school transcript;
23	or
24	"(II) an honorable discharge cer-
25	tificate.



1	"(9) Acceptance of applications.—Not
2	later than 120 days after the date of the enactment
3	of this section, the Secretary shall begin accepting
4	electronically filed applications for provisional pro-
5	tected presence and employment authorization under
6	this section.
7	"(10) JUDICIAL REVIEW.—There shall be no ju-
8	dicial review of any claim, including claims alleging
9	violations of the subchapter II of chapter 5 of title
10	5, United States Code (commonly known as the 'Ad-
11	ministrative Procedure Act') or the Constitution of
12	the United States, challenging an action by the Sec-
13	retary—
14	"(A) to deny an application from an alien
15	for provisional protected presence under this
16	section; or
17	"(B) to rescind an alien's provisional pro-
18	tected presence or employment authorization
19	granted under this section.
20	"(g) Rescission of Provisional Protected
21	Presence.—The Secretary may not rescind an alien's
22	provisional protected presence or employment authoriza-
23	tion granted under this section unless the Secretary deter-
24	mines that the alien—
25	"(1) has been convicted of—



1	"(A) a felony;
2	"(B) a significant misdemeanor; or
3	"(C) 3 or more misdemeanors not occur-
4	ring on the same date and not arising out of
5	the same act, omission, or scheme of mis-
6	conduct;
7	"(2) poses a threat to national security or a
8	threat to public safety;
9	"(3) fails to meet any of the eligibility require-
10	ments under subsection (c);
11	"(4) has traveled outside of the United States
12	without authorization from the Secretary;
13	"(5) has ceased to maintain a period of contin-
14	uous physical presence in the United States; or
15	"(6) has participated, benefitted from, or pro-
16	mulgated a fraud regarding or pertaining to an ap-
17	plication for provisional protected presence or any
18	other immigration benefit.
19	"(h) Treatment of Brief and Innocent Depar-
20	TURES AND CERTAIN OTHER ABSENCES.—
21	"(1) In general.—For purposes of sub-
22	sections (c)(3) and (g)(4), an alien shall not be con-
23	sidered to have failed to continuously reside in the
24	United States or to maintain continuous physical
25	presence in the United States due to—



1	"(A) brief and innocent absences from the
2	United States during the period beginning or
3	June 15, 2007, and ending on August 14
4	2012; or
5	"(B) travel outside of the United States or
6	or after August 15, 2012, if such travel was au
7	thorized by the Secretary.
8	"(2) Clarification on admission.—The ad
9	mission to the United States of an alien who has
0	been granted provisional protected presence under
11	this section after a trip described in paragraph (1
12	shall not be considered an admission for the pur
13	poses of section 245(a).
14	"(i) Effect of Deferred Action Under De
15	FERRED ACTION FOR CHILDHOOD ARRIVALS PROGRAM.—
16	"(1) Provisional protected presence.—A
17	DACA recipient—
18	"(A) is deemed to have provisional pro
19	tected presence under this section through the
20	expiration date of the alien's deferred action
21	status, as specified by the Secretary in conjunc
22	tion with the approval of the alien's DACA ap
23	plication; and



1	"(B) is eligible to apply for provisional
2	protected presence under this section during the
3	application period set forth in subsection (f)(2)
4	"(2) Employment authorization.—If a
5	DACA recipient has been granted employment au-
6	thorization by the Secretary in addition to deferred
7	action, the employment authorization shall continue
8	through the expiration date of the alien's deferred
9	action status, as specified by the Secretary in con-
10	junction with the approval of the alien's DACA ap-
11	plication.
12	"(3) Effect of application.—If a DACA re-
13	cipient files an application for provisional protected
14	presence under this section not later than the expi-
15	ration date of the alien's deferred action status, as
16	specified by the Secretary in conjunction with the
17	approval of the alien's DACA application, the alien's
18	provisional protected presence and any employment
19	authorization shall remain in effect pending the ad-
20	judication of such application.
21	"(j) Savings Provision.—Nothing in this section
22	may be construed to affect whether the Secretary of
23	Homeland Security had the authority—
24	"(1) to adopt the Deferred Action for Childhood
25	Arrivals Program announced on June 15, 2012; or



- 1 "(2) to maintain such program.".
- 2 (b) Conforming Amendment.—Section 280(b)(2)
- 3 of the Immigration and Nationality Act (8 U.S.C.
- 4 1330(b)(2)) is amended by adding at the end the fol-
- 5 lowing:
- 6 "(C) Security fees collected under section
- 7 244A(f)(2)(B).".
- 8 (c) Clerical Amendment.—The table of contents
- 9 for the Immigration and Nationality Act (8 U.S.C. 1101
- 10 note) is amended by inserting after the item relating to
- 11 section 244 the following:
 - "Sec. 244A. Provisional protected presence.".
- 12 (d) Rulemaking.—Notwithstanding section 553 of
- 13 title 5, United States Code, not later than 6 months after
- 14 the date of the enactment of this Act, the Secretary of
- 15 Homeland Security shall issue an interim final rule to im-
- 16 plement section 244A of the Immigration and Nationality
- 17 Act, as added by subsection (a), which shall take effect
- 18 immediately upon publication in the Federal Register.



1	DIVISION K—PROVISIONAL PRO-
2	TECTED PRESENCE FOR CER-
3	TAIN ALIENS IN THE UNITED
4	STATES WHO PREVIOUSLY
5	RECEIVED TEMPORARY PRO-
6	TECTED STATUS
7	SEC. 101. SHORT TITLE.
8	This division may be cited as the "Provisional Pro-
9	tected Presence for Certain Aliens Whose Temporary Pro-
10	tected Status Was Terminated Act".
11	SEC. 102. PROVISIONAL PROTECTED PRESENCE FOR CER-
12	TAIN ALIENS WHO RECEIVED TEMPORARY
13	PROTECTED STATUS.
14	(a) In General.—Notwithstanding any other provi-
15	sion of law, the Secretary of Homeland Security may
16	grant provisional protected presence to any alien who—
17	(1) meets the eligibility requirements set forth
18	in subsection (b);
19	(2) submits a completed application before the
20	end of the period set forth in subsection (c)(2); and
21	(3) pays the fees required under subsection
22	(c)(5).
23	(b) ELIGIBILITY REQUIREMENTS.—
24	(1) In general.—An alien is eligible for provi-
25	sional protected presence if the alien—



1	(A) establishes, by clear and convincing
2	evidence, that the alien meets the requirements
3	set forth in paragraph (2); and
4	(B) is not ineligible under paragraph (3).
5	(2) General requirements.—An alien meets
6	the requirements under this paragraph if the alien—
7	(A) is a national of El Salvador, Haiti
8	Honduras, Nicaragua;
9	(B) is physically present in the United
10	States on the date on which the alien submits
11	an application for provisional protected pres-
12	ence;
13	(C) was physically present in the United
14	States on January 1, 2011;
15	(D) has maintained continuous physical
16	presence in the United States from January 1
17	2011, until the date on which the alien is grant-
18	ed provisional protected presence under this
19	section;
20	(E) is a person of good moral character;
21	(F) received temporary protected status
22	under section 244 of the Immigration and Na-
23	tionality Act (8 U.S.C. 1254a); and
24	(G) remains lawfully in temporary pro-
25	tected status or remained lawfully in such sta-



1	tus until the designation of his or her country
2	of nationality was terminated under section
3	244(b)(3)(B) of such Act.
4	(3) Grounds for ineligibility.—An alien is
5	ineligible for provisional protected presence under
6	this section if the Secretary of Homeland Security
7	determines that the alien—
8	(A) has a Federal, State, or local convic-
9	tion for—
0	(i) a felony;
1	(ii) an aggravated felony (as defined
2	in section 101(a)(43) of the Immigration
3	and Nationality Act (8 U.S.C.
4	1101(a)(43));
5	(iii) a misdemeanor involving or relat-
6	ing to—
7	(I) domestic violence (as defined
8	in section 40002(a) of the Violence
9	Against Women Act of 1994 (34
20	U.S.C. 12291(a)));
21	(II) child abuse or neglect (as de-
22	fined in such section 40002(a));
23	(III) assault resulting in bodily
24	injury (as defined in section 2266 of
25	title 18 United States Code):



1	(IV) the violation of a protection
2	order (as defined in such section
3	2266); or
4	(V) driving while intoxicated or
5	driving under the influence (as such
6	terms are defined in section 164(a)(2)
7	of title 23, United States Code);
8	(iv) 2 or more misdemeanor convic-
9	tions; or
10	(v) any offense under foreign law, ex-
11	cept for a purely political offense, which, if
12	the offense had been committed in the
13	United States, would render the alien inad-
14	missible under section 212(a) of the Immi-
15	gration and Nationality Act (8 U.S.C.
16	1182(a)) or deportable under section
17	237(a) of such Act (8 U.S.C. 1227(a));
18	(B) has been adjudicated delinquent in a
19	State or local juvenile court proceeding for an
20	offense equivalent to—
21	(i) an offense relating to murder,
22	manslaughter, homicide, rape (whether the
23	victim was conscious or unconscious), stat-
24	utory rape, or any offense of a sexual na-



1	ture involving a victim who was younger
2	than 18 years of age;
3	(ii) an offense that has, as an ele-
4	ment, the use, attempted use, or threat-
5	ened use of violent physical force against
6	the person or property of another, or any
7	other offense that, by its nature, involves a
8	substantial risk that violent physical force
9	against the person or property of another
10	may be used in the course of committing
11	the offense (including offenses committed
12	recklessly if they otherwise qualify); or
13	(iii) an offense punishable under sec-
14	tion 401 of the Controlled Substances Act
15	(21 U.S.C. 841);
16	(C) has been convicted for any other crimi-
17	nal offense, with regard to which the alien has
18	not satisfied any civil legal judgements awarded
19	to any victims (or family members of victims)
20	of the crime;
21	(D)(i) is, or has been, a member of a
22	criminal street gang (as defined in section
23	521(a) of title 18, United States Code); or
24	(ii) has participated in the activities of
25	such a gang knowing or having reason to know



1	that such activities will promote, further, aid, or
2	support the illegal activity of the gang.
3	(E) has been charged with a felony or a
4	misdemeanor offense, which is still pending;
5	(F) is inadmissible under section 212(a) of
6	the Immigration and Nationality Act (8 U.S.C.
7	1182(a)), except that in determining an alien's
8	inadmissibility paragraph (5) of such subsection
9	shall not apply;
10	(G) was, on the date of the enactment of
11	this Act—
12	(i) an alien lawfully admitted for per-
13	manent residence;
14	(ii) an alien admitted as a refugee
15	under section 207 of the Immigration and
16	Nationality Act (8 U.S.C. 1157), or grant-
17	ed asylum under section 208 of such Act
18	(8 U.S.C. 1158); or
19	(iii) an alien who, according to the
20	records of the Secretary of Homeland Se-
21	curity or of the Secretary of State, is law-
22	fully present in the United States in any
23	nonimmigrant status (other than an alier
24	considered to be a nonimmigrant solely due
25	to the application of section $244(f)(4)$ of



1	the Immigration and Nationality Act (8
2	U.S.C. $1254a(f)(4)$) or the amendment
3	made by section 702 of the Consolidated
4	Natural Resources Act of 2008 (Public
5	Law 110-229)), notwithstanding any un-
6	authorized employment or other violation
7	of nonimmigrant status;
8	(H) has failed to comply with an order of
9	supervision issued pursuant to section
10	240(b)(5)(A) of the Immigration and Nation-
11	ality Act (8 U.S.C. 1229a(b)(5)(A));
12	(I) has been ordered removed in absentia
13	pursuant to section 240(b)(5)(A) of the Immi-
14	gration and Nationality Act (8 U.S.C.
15	1229a(b)(5)(A));
16	(J) if at least 18 years of age, has failed
17	to demonstrate that he or she is able to main-
18	tain himself or herself at an annual income that
19	is not less than 125 percent of the Federal pov-
20	erty level, while maintaining benefits under a
21	temporary protected status designation unless
22	the alien has demonstrated that the alien is en-
23	rolled in, and is in regular full-time attendance
24	at, an educational institution within the United
25	States;



1	(K) is delinquent with respect to any Fed-
2	eral, State, or local income or property tax li-
3	ability;
4	(L) has failed to pay to the Treasury of
5	the United States, in addition to any amounts
6	owed, an amount equal to the aggregate value
7	of any disbursements received by such alien for
8	refunds described in section 1324(b)(2) of title
9	31, United States Code; or
10	(M) has at any time engaged in sexual as-
11	sault or harassment (as defined in section
12	244A(a)(6) of the Immigration and Nationality
13	Act, as added by section 102 of division J).
14	(c) Application Procedures.—
15	(1) In general.—An alien may apply for pro-
16	visional protected presence under this section by
17	electronically submitting a completed application
18	form to the Secretary of Homeland Security during
19	the application period set forth in paragraph (2), in
20	accordance with the interim final rule issued by the
21	Secretary pursuant to section 105 of this division.
22	(2) Application Period.—The Secretary of
23	Homeland Security may only accept applications for
24	provisional protected presence from aliens in the
25	United States during the 6-month period beginning



1	on the date on which the interim final rule is pub-
2	lished in the Federal Register pursuant to such sec-
3	tion 105.
4	(3) Application form.—
5	(A) REQUIRED INFORMATION.—The appli-
6	cation form referred to in paragraph (1) shall
7	collect such information as the Secretary of
8	Homeland Security determines to be necessary
9	and appropriate to determine whether an alien
10	meets the eligibility requirements set forth in
11	subsection (b).
12	(B) Interview.—The Secretary of Home-
13	land Security shall conduct an in-person inter-
14	view of all high-risk applicants for provisional
15	protected presence under this section as part of
16	the determination as to whether the alien meets
17	the eligibility requirements set forth in sub-
18	section (b).
19	(4) Documentary requirements.—An appli-
20	cation filed by an alien under this section shall in-
21	clude—
22	(A) to confirm the alien's identity—
23	(i) a passport (or national identity
24	document) from the alien's country of ori-
25	oin·



1	(ii) a certified birth certificate and
2	photo identification;
3	(iii) a State-issued identification card
4	bearing the alien's name and photograph;
5	(iv) an Armed Forces identification
6	card issued by the Department of Defense;
7	or
8	(v) a Coast Guard identification card
9	issued by the Department of Homeland Se-
10	curity; and
11	(B) a certified copy of the alien's birth cer-
12	tificate or certified school transcript.
13	(5) FEES.—
14	(A) STANDARD PROCESSING FEE.—
15	(i) In general.—Aliens applying for
16	provisional protected presence under this
17	section shall pay a processing fee to the
18	Department of Homeland Security in an
19	amount determined by the Secretary of
20	Homeland Security.
21	(ii) Recovery of Costs.—The proc-
22	essing fee authorized under clause (i) shall
23	be set at a level that is sufficient to recover
24	the full costs of processing the application,
25	including any costs incurred—



1	(I) to adjudicate the application;
2	(II) to take and process bio-
3	metrics;
4	(III) to perform national security
5	and criminal checks;
6	(IV) to prevent and investigate
7	fraud (including for the litigation-re-
8	lated costs of the Department of
9	Homeland Security in prosecuting re-
10	moval proceedings under section 240
11	of the Immigration and Nationality
12	Act (8 U.S.C. 1229a) related to such
13	fraud);
14	(V) to interview the applicant or
15	beneficiary; and
16	(VI) to administer the collection
17	of such fee.
18	(iii) Deposit and use of proc-
19	ESSING FEES.—Fees collected under clause
20	(i) shall be deposited into the Immigration
21	Examinations Fee Account pursuant to
22	section 286(m) of the Immigration and
23	Nationality Act (8 U.S.C. 1356(m)).
24	(B) SECURITY FEE.—



1	(i) In general.—Aliens applying for
2	provisional protected presence under this
3	section shall pay a security fee to the De-
4	partment of Homeland Security in an
5	amount of \$500.
6	(ii) Deposit and use of security
7	FEES.—Fees collected under clause (i)
8	shall be deposited into the Immigration
9	Enforcement Account established under
10	section 280(b) of the Immigration and Na-
11	tionality Act (8 U.S.C. 1330(b)) and shall
12	be available to the Secretary of Homeland
13	Security until expended for the purposes
14	described in paragraph (3)(A) of such sub-
15	section.
16	(iii) Conforming amendment.—
17	Section 280(b)(2) of the Immigration and
18	Nationality Act, as amended by section
19	102(b) of division J, is further amended by
20	adding at the end the following:
21	"(D) Security fees collected under section
22	101(c)(5)(B) of the Provisional Protected Presence
23	for Certain Aliens Whose Temporary Protected Sta-
24	tus Was Terminated Act."



1	(6) Aliens apprehended before or during
2	THE APPLICATION PERIOD.—If the Secretary of
3	Homeland Security, upon the request of an alien
4	who was apprehended during the period beginning
5	on the date of the enactment of this Act and ending
6	on the last day of the application period described
7	in paragraph (2), determines that such alien is
8	prima facie eligible for provisional protected pres-
9	ence, the Secretary—
10	(A) shall provide the alien with a reason-
11	able opportunity to file an application under
12	this section during such application period; and
13	(B) may not remove the alien until the
14	Secretary has denied the application, unless the
15	Secretary, in the Secretary's sole and
16	unreviewable discretion, determines that expedi-
17	tious removal of the alien is in the national se-
18	curity, public safety, or foreign policy interests
19	of the United States.
20	(7) Suspension of removal during appli-
21	CATION PERIOD.—
22	(A) ALIENS IN REMOVAL PROCEEDINGS.—
23	Notwithstanding any other provision of this di-
24	vision, if the Secretary of Homeland Security,
25	during the period beginning on the date of the



enactment of this Act and ending on the last
day of the application period described in para-
graph (2), upon the request of an alien who is
in removal, deportation, or exclusion pro-
ceedings before the Executive Office for Immi-
gration Review, determines that such alien is
prima facie eligible for provisional protected
presence under this section, the Secretary shall
provide the alien with an opportunity to file an
application for provisional protected presence
under this section, provided that such oppor-
tunity does not serve as a basis to pause, con-
tinue, or otherwise delay proceedings before the
Executive Office for Immigration Review.
(B) Period pending adjudication of
APPLICATION.—
(i) In general.—Except as provided
in clause (ii), during the period beginning
on the date on which an alien applies for
provisional protected presence under sub-
section (c) and ending on the date on
which the Secretary of Homeland Security
makes a determination regarding such ap-
plication, the alien may be removed from
the United States unless the Secretary

1	makes a prima facie determination that
2	such alien is eligible for provisional pro-
3	tected presence under subsection (b).
4	(ii) Other considerations.—The
5	Secretary of Homeland Security may pro-
6	ceed with the removal of an alien who is
7	prima facie eligible for provisional pro-
8	tected presence under this section if the
9	Secretary, in the Secretary's sole and
10	unreviewable discretion, determines that
11	the removal of such alien is in the national
12	security, public safety, or foreign policy in
13	terest of the United States.
14	(8) SECURITY AND LAW ENFORCEMENT CLEAR
15	ANCES.—
16	(A) BIOMETRIC AND BIOGRAPHIC DATA.—
17	The Secretary of Homeland Security may not
18	grant provisional protected presence to an alier
19	under this section unless the alien submits bio-
20	metric and biographic data in accordance with
21	procedures established by the Secretary.
22	(B) ALTERNATIVE PROCEDURES.—The
23	Secretary may provide an alternative procedure
24	for applicants who cannot provide the biometric
25	data required under subparagraph (A) due to a



1	debilitating and irreversible physical impair-
2	ment.
3	(C) CLEARANCES.—
4	(i) DATA COLLECTION.—The Sec-
5	retary of Homeland Security shall collect,
6	from each applicant under this section, bio-
7	metric, biographic, and other data that the
8	Secretary determines to be appropriate—
9	(I) to conduct national security
10	and law enforcement checks; and
11	(II) to determine whether there
12	are any factors that would render an
13	alien ineligible for provisional pro-
14	tected protection under this section.
15	(ii) Prerequisite.—The required
16	clearances described in clause (i)(I) shall
17	be completed before the alien may be
18	granted provisional protected presence
19	under this section.
20	(9) Duration of status and extension.—
21	The period of provisional protected presence shall be
22	3 years unless revoked pursuant to subsection (e).
23	(10) Judicial review.—There shall be no ju-
24	dicial review of any claim, including claims alleging
25	violations of subchanter II of chanter 5 of title 5



1	United States Code (commonly known as the "Ad-
2	ministrative Procedure Act") or the Constitution of
3	the United States, challenging the Secretary of
4	Homeland Security's denial of an application for
5	provisional protected presence under this section, or
6	the revocation of provisional protected presence for
7	any alien.
8	(d) Terms and Conditions of Provisional Pro-
9	TECTED PRESENCE.—
10	(1) Work Authorization.—The Secretary of
11	Homeland Security may grant employment author-
12	ization to any alien granted provisional protected
13	presence who requests such authorization after the
14	alien pays the applicable fees, unless granting such
15	authorization would be contrary to the national in-
16	terest.
17	(2) Travel outside the united states.—
18	(A) In general.—The status of an alien
19	granted provisional protected presence who is
20	absent from the United States without author-
21	ization shall be subject to revocation under sub-
22	section (e).
23	(B) Authorization.—The Secretary of
24	Homeland Security may—



1	(i) authorize an alien granted provi-
2	sional protected presence to travel outside
3	of the United States; and
4	(ii) grant reentry to such alien in the
5	same immigration status or situation that
6	the alien had before such travel if—
7	(I) the alien was not absent from
8	the United States for a period exceed-
9	ing 15 consecutive days, or 90 days in
10	the aggregate during each 3-year pe-
11	riod that the alien is in provisional
12	protected presence, unless the alien's
13	failure to return was due to extenu-
14	ating circumstances beyond the alien's
15	control;
16	(II) the purpose of the travel is
17	\mathbf{for}
18	(aa) urgent humanitarian
19	purposes, such as obtaining med-
20	ical treatment or attending the
21	funeral services of a family mem-
22	ber;
23	(bb) structured educational
24	purposes, such as semester



1	abroad programs and academic
2	research; or
3	(cc) employment purposes,
4	such as overseas assignments,
5	conferences or training; and
6	(III) the alien is otherwise admis-
7	sible to the United States, except as
8	provided in subsection (b)(3)(F).
9	(C) CLARIFICATION ON ADMISSION.—The
10	admission to the United States of an alien
11	granted provisional protected presence after a
12	trip described in subparagraph (B) shall not be
13	considered an admission for the purposes of
14	section 245(a) of the Immigration and Nation-
15	ality Act (8 U.S.C. 1255(a)).
16	(D) TRAVEL OUTSIDE OF THE UNITED
17	STATES.—An alien in valid provisional protec-
18	tive presence who is subject to an outstanding
19	order of removal and travels outside of the
20	United States under authorization provided
21	pursuant to subparagraph (B) shall remain
22	subject to such order when he or she returns to
23	the United States.
24	(3) Federal, state, and local public ben-
25	EFITS —For purposes of title IV of the Personal Re-



1	sponsibility and Work Opportunity Reconciliation
2	Act of 1996 (8 U.S.C. 1601 et seq.), an alien grant-
3	ed provisional protected presence shall not be consid-
4	ered a qualified alien under the Immigration and
5	Nationality Act (8 U.S.C. 1101 et seq.).
6	(e) REVOCATION.—
7	(1) IN GENERAL.—The Secretary of Homeland
8	Security shall revoke the status of an alien granted
9	provisional protected presence if the alien—
10	(A) no longer meets the eligibility require-
11	ments set forth in subsection (b);
12	(B) knowingly uses documentation issued
13	under this section for an unlawful or fraudulent
14	purpose; or
15	(C) was absent from the United States at
16	any time without authorization after being
17	granted provisional protected presence.
18	(2) Additional evidence.—In determining
19	whether to revoke an alien's status under paragraph
20	(1), the Secretary of Homeland Security may require
21	the alien—
22	(A) to submit additional evidence; or
23	(B) to appear for an in-person interview.
24	(3) Invalidation of documentation.—If an
25	alien's provisional protected presence is revoked



1	under paragraph (1), any documentation issued by
2	the Secretary of Homeland Security to such alien
3	under this section shall automatically be rendered
4	invalid for any purpose except for departure from
5	the United States.
6	SEC. 103. TEMPORARY PROTECTED STATUS ELIGIBILITY.
7	(a) Eligibility.—Section 244(a)(1) of the Immigra-
8	tion and Nationality Act (8 U.S.C. 1254a(a)(1)) is amend-
9	ed by striking the matter preceding subparagraph (A) and
10	inserting the following:
11	"(1) In general.—If an alien is lawfully
12	present in the United States, is a national of a for-
13	eign state designated under subsection (b) (or in the
14	case of an alien having no nationality, is a person
15	who last habitually resided in such designated state),
16	and meets the requirements of subsection (c), the
17	Attorney General, in accordance with this section—
18	".
19	(b) Aliens Eligible for Temporary Protected
20	Status.—Section $244(c)(1)(A)$ of the Immigration and
21	Nationality Act (8 U.S.C. 1254a(c)(1)(A)) is amended by
22	striking the matter preceding clause (i) and inserting the
23	following:
24	"(A) NATIONALS OF DESIGNATED FOR-
25	EIGN STATES.—Subject to paragraph (3), an



1	alien who is a national of a state designated
2	under subsection (b)(1) (or in the case of an
3	alien having no nationality, is a person who last
4	habitually resided in such designated state) and
5	is lawfully present in the United States meets
6	the requirements under this paragraph only
7	if—".
8	SEC. 104. PENALTIES AND SIGNATURE REQUIREMENTS.
9	(a) Penalties for False Statements in Appli-
10	CATIONS.—Any person who files an initial or renewal ap-
11	plication for provisional protected presence under section
12	101 of this division and knowingly and willfully falsifies,
13	misrepresents, conceals, or covers up a material fact or
14	makes any false, fictitious, or fraudulent statements or
15	representations, or makes or uses any false writing or doc-
16	ument knowing the same to contain any false, fictitious,
17	or fraudulent statement or entry, shall be fined in accord-
18	ance with title 18, United States Code, imprisoned not
19	more than 5 years, or both.
20	(b) Signature Requirements.—
21	(1) In general.—Except as provided in para-
22	graph (2), an applicant under section 101 of this di-
23	vision shall sign his or her application with an origi-



24

nal signature.

1	(2) Exception.—A parent or legal guardian
2	may sign an application for a child or for an appli-
3	cant whose physical or developmental disability or
4	mental impairment prevents the applicant from
5	being competent to sign. Such application shall in
6	clude evidence of parentage or legal guardianship.
7	SEC. 105. RULEMAKING.
8	Notwithstanding section 553 of title 5, United States
9	Code, not later than 1 year after the date of the enactment
10	of this Act, the Secretary of Homeland Security shall issue
11	interim final regulations to implement this division, which
12	shall take effect immediately upon publication in the Fed
13	eral Register.
14	SEC. 106. RULE OF CONSTRUCTION.
15	Except as specifically provided, nothing in this divi-
16	sion may be construed to create any substantive or proce-
17	dural right or benefit that is legally enforceable by any
18	party against—
19	(1) the United States;
20	(2) any agency or officer of the United States
21	or
22	(3) any other person.



1 DIVISION L—PROTECTION OF 2 CENTRAL AMERICAN MINORS

3	SEC. 101. SHORT TITLE.
4	This division may be cited as the "Central American
5	Minors Protection Act of 2019".
6	SEC. 102. PURPOSE.
7	The purpose of this division is to establish an asylum
8	processing program outside of the United States that—
9	(1) provides an alternative method of seeking
10	protection in the United States from persecution for
11	minor nationals of El Salvador, of Guatemala, and
12	of Honduras; and
13	(2) reduces the incentive for such persons to
14	make the dangerous journey to the United States
15	southern border to request asylum.
16	SEC. 103. ADMISSION OF ELIGIBLE CENTRAL AMERICAN
17	ALIENS AS ASYLEES.
18	(a) Applications.—
19	(1) In general.—Section 208(a)(2) of the Im-
20	migration and Nationality Act (8 U.S.C. 1158(a)(2))
21	is amended by adding at the end the following:
22	"(F) AUTHORITY FOR CERTAIN CENTRAL
23	AMERICAN MINORS TO APPLY FOR ASYLUM.—
24	"(i) In General.—Notwithstanding



1	graph (1), and except as provided in clause
2	(ii), a national of El Salvador, Guatemala,
3	or Honduras who is younger than 18 years
4	of age and is outside of the United States
5	as of the date of the enactment of the Cen-
6	tral American Minors Protection Act of
7	2019 shall be ineligible for asylum un-
8	less—
9	"(I) the alien submits an applica-
10	tion for asylum outside of the United
11	States at a Designated Application
12	Processing Center in Central America;
13	"(II) the United Nations High
14	Commissioner for Refugees or a non-
15	governmental organization designated
16	by the Secretary of Homeland Secu-
17	rity has referred the alien to the Sec-
18	retary of Homeland Security after de-
19	termining that the alien is likely to be
20	eligible for asylum;
21	"(III) not later than 90 days
22	after the date on which the alien was
23	referred by the United Nations High
24	Commissioner for Refugees or the
25	designated nongovernmental organiza-



1	tion under subclause (II), the alien
2	submits an application for asylum at
3	a Designated Application Processing
4	Center, in accordance with the re-
5	quirements and procedures established
6	by the Secretary of Homeland Secu-
7	rity pursuant to this section;
8	"(IV) the alien has not been con-
9	victed of a Federal, State, or local
10	criminal offense (excluding a State or
11	local offense for which an essential
12	element was the immigration status of
13	the alien) punishable by imprisonment
14	for a term exceeding 1 year or a simi-
15	lar foreign offense;
16	"(V) the alien has not been re-
17	moved from the United States;
18	"(VI) the alien is not subject to
19	an outstanding final order of removal;
20	"(VII) the Secretary of Home-
21	land Security has determined that the
22	alien is not a public safety or national
23	security risk;
24	"(VIII) the alien has not had an
25	application for asylum denied;



1	"(IX) the alien is younger than
2	18 years of age on the date on which
3	the asylum application is filed;
4	"(X) the alien has a qualified
5	parent or guardian in the United
6	States capable of taking custody and
7	care of the minor upon arrival in the
8	United States; and
9	"(XI) the alien is otherwise eligi-
10	ble to apply for and receive asylum
11	under subsections $(a)(2)$ and $(b)(2)$.
12	"(ii) Exception.—Notwithstanding
13	clause (i), paragraph (1) shall apply to a
14	national of El Salvador, of Guatemala, or
15	of Honduras if the alien is present in the
16	United States before the date of the enact-
17	ment of the Central American Minors Pro-
18	tection Act of 2019.
19	"(iii) TIME LIMIT.—The time limit
20	under subparagraph (B) shall not apply to
21	nationals of El Salvador, of Guatemala, or
22	of Honduras who are described in clause
23	(i).".
24	(2) Sunset.—The amendment made by para-
25	graph (1) shall remain in effect until the date that



1	is 3 years after the date of the enactment of this
2	$\mathbf{Act}.$
3	(b) ELIGIBILITY.—
4	(1) In general.—Section 208(b) of the Immi-
5	gration and Nationality Act (8 U.S.C. 1158(b)) is
6	amended—
7	(A) in paragraph (1)—
8	(i) by redesignating subparagraph (B)
9	as subparagraph (C); and
10	(ii) by inserting after subparagraph
11	(A) the following:
12	"(B) ELIGIBILITY OF CERTAIN CENTRAL
13	AMERICAN MINORS FOR ASYLUM.—
14	"(i) In General.—The Secretary of
15	Homeland Security may grant asylum to a
16	minor national of El Salvador, of Guate-
17	mala, or of Honduras who submits an ap-
18	plication under subsection $(a)(2)(F)(i)(I)$
19	if—
20	"(I) the alien is otherwise eligible
21	for asylum under subparagraph (A),
22	except that the alien does not need to
23	be outside of his or her country of na-
24	tionality;



1	"(II) a grant of asylum to the
2	alien would not cause the number of
3	asylum grants in a fiscal year to ex-
4	ceed the number set forth in clause
5	(iii)(II); and
6	"(III) the Secretary of Homeland
7	Security determines that—
8	"(aa) the alien warrants a
9	grant of asylum; and
10	"(bb) such grant is con-
11	sistent with the national interest.
12	"(ii) Designated Application
13	PROCESSING CENTERS.—
14	"(I) ESTABLISHMENT.—Not
15	later than 240 days after the date of
16	the enactment of the Central Amer-
17	ican Minors Protection Act of 2019,
18	the Secretary of State shall establish
19	Designated Application Processing
20	Centers, with the consent of the coun-
21	try in which such centers will be lo-
22	cated, if necessary.
23	"(II) LOCATIONS.—
24	"(aa) In GENERAL.—The
25	Secretary of State shall ensure



1	that not fewer than 1 Designated
2	Application Processing Center is
3	established in each of the fol-
4	lowing countries:
5	"(AA) Belize.
6	"(BB) Costa Rica.
7	"(CC) El Salvador.
8	"(DD) Guatemala.
9	"(EE) Honduras.
10	"(FF) Mexico.
11	"(GG) Nicaragua.
12	"(HH) Panama.
13	"(bb) Selection.—The
14	Secretary of State, in consulta-
15	tion with the Secretary of Home-
16	land Security, shall select the lo-
17	cation of each Designated Appli-
18	cation Processing Center de-
19	scribed in item (aa).
20	"(III) DUTIES OF THE SEC-
21	RETARY OF STATE.—The Secretary of
22	State shall ensure that any minor na-
23	tional of El Salvador, Guatemala, or
24	Honduras is permitted—



1	"(aa) to apply to a Des-
2	ignated Application Processing
3	Center for asylum under this
4	subparagraph; and
5	"(bb) if the alien applying
6	for asylum is an unaccompanied
7	alien child (as defined in section
8	462(g)(2) of the Homeland Secu-
9	rity Act of 2002), to have legal
10	counsel present at any interview
11	at no expense to the United
12	States Government.
13	"(IV) Adjudication by asylum
14	or refugee officers.—Applica-
15	tions submitted to a Designated Ap-
16	plication Processing Center under this
17	subparagraph shall be adjudicated by
18	asylum or refugee officers.
19	"(iii) Maximum number of refer-
20	RALS AND GRANTS OF ASYLUM.—
21	"(I) Referrals.—The number
22	of aliens whom the Secretary of
23	Homeland Security may accept for
24	processing under this subparagraph



1	may not exceed 50,000 in any fiscal
2	year.
3	"(II) ASYLUM GRANTS.—The
4	Secretary of Homeland Security may
5	not grant asylum to more than 15,000
6	aliens under this subparagraph in any
7	fiscal year.
8	"(iv) No Judicial Review.—Not-
9	withstanding any other provision of law
10	(statutory or nonstatutory), including sec-
11	tion 2241 of title 28, United States Code,
12	or any other habeas corpus provision, and
13	sections 1361 and 1651 of such title, no
14	court or immigration judge shall have ju-
15	risdiction to review a determination of the
16	Secretary of Homeland Security under
17	clause (i)."; and
18	(B) in paragraph (3), by striking subpara-
19	graph (C).
20	(2) Sunset.—The amendment made by para-
21	graph (1)(A) shall remain in effect until the date
22	that is 3 years after the date of the enactment of
23	this Act.



1	SEC. 104. APPLICATION FEES.
2	(a) IN GENERAL.—The Secretary of Homeland Secu-
3	rity shall—
4	(1) collect a fee from each alien submitting an
5	application under section $208(a)(2)(F)(i)(I)$ of the
6	Immigration and Nationality Act (8 U.S.C.
7	1158(a)(2)(F)(i)(I)) for the purpose of receiving,
8	docketing, processing, and adjudicating such applica-
9	tion; and
10	(2) shall deposit all fees collected under para-
11	graph (1) into the Immigration Examinations Fee
12	Account under section 286(m) of such Act (8 U.S.C.
13	1356(m)).
14	(b) Amount.—The fee required under subsection (a)
15	shall be based upon—
16	(1) a consideration of the amount necessary to
17	deter frivolous applications; and
18	(2) the cost of processing the application.
19	(c) Sunset Provision.—This section shall remain
20	in effect until the date that is 3 years after the date of
21	the enactment of this Act.
22	SEC. 105. TERMINATION OF ASYLUM STATUS PURSUANT TO
23	RETURN TO HOME COUNTRY.
24	Section 208(c) of the Immigration and Nationality
25	Act (8 U.S.C. 1158(c)) is amended—



26

(1) in paragraph (2)—

1	(A) in the matter preceding subparagraph
2	(A), by inserting "the Secretary of Homeland
3	Security or" before "the Attorney General";
4	(B) in subparagraph (D), by striking "or"
5	at the end;
6	(C) in subparagraph (E), by striking the
7	period at the end and inserting "; or"; and
8	(D) by adding at the end the following:
9	"(F) the alien, since receiving asylum sta-
10	tus, has returned to the country of the alien's
11	nationality (or, in the case of an alien having
12	no nationality, returns to any country in which
13	such alien last habitually resided), unless—
14	"(i) the Secretary of Homeland Secu-
15	rity or the Attorney General, in the Sec-
16	retary's or Attorney General's sole and
17	unreviewable discretion and pursuant to
18	such rules and regulations as each may
19	adopt, determines that the alien had a
20	compelling reason for the return; and
21	"(ii) the alien seeks a waiver de-
22	scribed in clause (i) before departing from
23	the United States or upon returning to the
24	United States."; and



1	(2) in paragraph (3), by striking "section
2	212(a) and 237(a)" and inserting "sections 212(a)
3	and 237(a)".
4	SEC. 106. FRIVOLOUS ASYLUM APPLICATIONS.
5	Section 208(d) of the Immigration and Nationality
6	Act (8 U.S.C. 1158(d)) is amended—
7	(1) in paragraph (4)—
8	(A) in the matter preceding subparagraph
9	(A), by inserting "the Secretary of Homeland
10	Security or" before "the Attorney General";
11	(B) in subparagraph (A), by striking "and
12	of the consequences, under paragraph (6), of
13	knowingly filing a frivolous application for asy-
14	lum; and";
15	(C) in subparagraph (B), by striking the
16	period at the end and inserting "; and"; and
17	(D) by adding at the end the following:
18	"(C) ensure that a written warning ap-
19	pears on the asylum application that—
20	"(i) advises the alien of the con-
21	sequences of filing a frivolous application;
22	and
23	"(ii) serves as notice to the alien of
24	the consequences of filing a frivolous appli-
25	cation.": and



1	(2) in paragraph (6)—
2	(A) by striking "paragraph (4)(A)" and in-
3	serting "paragraph (4)(C)";
4	(B) by striking "If the" and inserting the
5	following:
6	"(A) IN GENERAL.—If the Secretary of
7	Homeland Security or the"; and
8	(C) by adding at the end the following:
9	"(B) Examples.—For purposes of sub-
0	paragraph (A) and paragraph (4), an applica-
1	tion for asylum is frivolous if—
2	"(i) the application—
13	"(I) contains a deliberately fab-
4	ricated material element;
5	"(II) is supported by a fabricated
6	or false document or other piece of
7	evidence;
8	"(III) is wholly unfounded in
9	credibility even if not deliberately fab-
20	ricated;
21	"(IV) was filed, in whole or in
22	part, for a purpose other than seeking
23	protection from persecution, including
24	being filed to obtain work authoriza-
25	tion or being filed to be placed in re-



1	moval proceedings in order to seek an-
2	other type of relief from removal;
3	"(V) was filed solely to delay re-
4	moval from the United States rather
5	than due to a genuine fear of persecu-
6	tion; or
7	"(VI) is clearly foreclosed by ap-
8	plicable law, including failure to com-
9	ply with the time limit under section
10	208(a)(2)(B); or
11	"(ii) the application is withdrawn un-
12	less the alien—
13	"(I) wholly disclaims the applica-
14	tion and withdraws it with prejudice;
15	"(II) is eligible for, and agrees to
16	accept, an agreement to voluntary de-
17	part the United States within 30 days
18	at his or her own expense, in accord-
19	ance with section 240B(a);
20	"(III) withdraws any and all
21	other applications for relief or protec-
22	tion with prejudice; and
23	"(IV) waives his or her right to
24	appeal and any rights to file, for any



1	reason, a motion to reopen or recon-
2	sider.
3	"(C) WORK AUTHORIZATION.—The fact
4	that an alien may receive work authorization
5	following the filing of an asylum application, by
6	itself, is insufficient to show that the applica-
7	tion was filed for that purpose.
8	"(D) EFFECT OF WARNING.—An alien who
9	has filed an application containing the warning
10	required under section $208(d)(4)$ need not be
11	given any further opportunity to account for
12	any issues with his or her claim prior to the
13	entry of a frivolous finding.
14	"(E) ELIGIBILITY FOR OTHER RELIEF.—A
15	finding under this paragraph that an alien filed
16	a frivolous asylum application does not preclude
17	the alien from seeking—
18	"(i) withholding of removal under sec-
19	tion $241(b)(3)$; or
20	"(ii) withholding of removal or defer-
21	ral of removal pursuant to Article 3 of the
22	Convention Against Torture and Other
23	Cruel, Inhuman, or Degrading Treatment
24	or Punishment, done at New York, Decem-
25	ber 10, 1984



1	"(F) Permitted disclosures.—Notwith-
2	standing any other provision of law, information
3	contained in an asylum application and infor-
4	mation supporting that application may be dis-
5	closed —
6	"(i) as part of an investigation to
7	evaluate the allegations contained in the
8	application;
9	"(ii) as part of the process to adju-
10	dicate the application;
11	"(iii) as part of any criminal inves-
12	tigation or proceeding; and
13	"(iv) for any purpose as part of any
14	proceeding arising under this Act.".
15	SEC. 107. RESTRICTIONS ON ASYLEE AND REFUGEE AD
16	JUSTMENT OF STATUS.
17	(a) Termination of Refugee Status.—Section
18	207(c)(4) of the Immigration and Nationality Act, 8
19	U.S.C. § 1157(c)(4), is amended—
20	(1) by striking "the Attorney General pursuant
21	to such regulations as the Attorney General may
22	prescribe if the Attorney General" and inserting
23	"the Attorney General or the Secretary of Homeland
24	Security, pursuant to such regulations as the Attor-



1	ney General or the Secretary may prescribe, if the
2	Attorney General or the Secretary"; and
3	(2) by inserting ", or has been convicted of a
4	felony at any time after being admitted as a ref-
5	ugee" before the period at the end.
6	(b) Termination of Asylum.—Section
7	208(c)(2)(B) of the Immigration and Nationality Act (8
8	U.S.C. $1158(c)(2)$) is amended inserting "or has been con-
9	victed of a felony at any time after receiving asylum sta-
10	tus" before the semicolon at the end.
11	(c) Adjustment of Status.—Section 209(b) of the
12	Immigration and Nationality Act (8 U.S.C. 1159(b)) is
13	amended—
14	(1) in paragraphs (1), (2), and (3), by striking
15	the comma at the end of each paragraph and insert-
16	ing a semicolon;
17	(2) in paragraph (4), by striking ", and and
18	inserting a semicolon;
19	(3) in paragraph (5), by striking the period at
20	the end and inserting "; and"; and
21	(4) by adding at the end the following:
22	"(6) has not been convicted of a felony.".
23	(d) Inadmissibility.—Section 212(a)(10) of the Im-
24	migration and Nationality Act (8 U.S.C. 1182(a)(10)) is
25	amended by adding at the end the following:



1	"(F) FORMER ASYLEES.—Any alien who
2	was granted asylum under section 208 and
3	whose asylum status has been terminated pur-
4	suant to subsection (c)(2) of such section is in-
5	admissible.".
6	(e) Deportability.—Section 237(a)(1) of the Im-
7	migration and Nationality Act (8 U.S.C. 1227(a)(1)) is
8	amended by inserting after subparagraph (E) the fol-
9	lowing:
10	"(F) TERMINATION OF REFUGEE STATUS
11	OR ASYLUM STATUS.—An alien is deportable if
12	the alien—
13	"(i) was granted refugee status and
14	such status was terminated pursuant to
15	section $207(c)(4)$; or
16	"(ii) was granted asylum status and
17	such status was terminated pursuant to
18	section $208(c)(2)$.".
19	SEC. 108. ENSURING SAFE AND PROMPT RETURN OF MI-
20	NORS TO NONCONTIGUOUS COUNTRIES.
21	Section 235 of the Public Law 110–457 (8 U.S.C.
22	1232) is amended—
23	(1) in subsection (a)—
24	(A) in paragraph (2)—



1	(i) in the paragraph heading, by strik-
2	ing "Special rules for children from
3	CONTIGUOUS COUNTRIES" and inserting
4	"Rules for reuniting unaccompanied
5	ALIEN CHILDREN.—";
6	(ii) in subparagraph (A), in the mat-
7	ter preceding clause (i), by striking "who
8	is a national or habitual resident of a
9	country that is contiguous with the United
10	States shall be treated in accordance with
11	subparagraph (B)" and inserting "shall be
12	treated in accordance with subparagraph
13	(B) or subsection (b), as applicable";
14	(iii) in subparagraph (C)—
15	(I) in the subparagraph heading
16	by striking "Contiguous country
17	AGREEMENTS" and inserting "AGREE-
18	MENTS WITH FOREIGN COUNTRIES"
19	and
20	(II) in the matter preceding
21	clause (i), by striking "countries con-
22	tiguous to the United States" and in-
23	serting "Canada, El Salvador, Guate-
24	mala, Honduras, Mexico, and any



1	other country the Secretary deter-
2	mines to be appropriate."; and
3	(iv) by adding at the end the following
4	"(D) Special rule.—
5	"(i) IN GENERAL.—The Secretary of
6	Homeland Security may repatriate an un-
7	accompanied alien child who does not wish
8	to withdraw his or her application for ad-
9	mission to his or her country of nationality
10	or last habitual residence after the child
11	has been interviewed by an immigration of-
12	ficer with specialized training in inter-
13	viewing child trafficking victims, who shall
14	be in plain clothes and may not carry a
15	weapon during such interview.
16	"(ii) Removal proceedings.—If the
17	immigration officer determines that it is
18	more probable than not that the unaccom-
19	panied alien child will be trafficked on re-
20	turn to his or her country of nationality or
21	last habitual residence or more probable
22	than not that the unaccompanied alien
23	child could establish eligibility for asylum
24	under section 208 of the Immigration and
25	Nationality Act (8 U.S.C. 1158), the unac-



1	companied alien child shall be placed in re-
2	moval proceedings under section 240 of the
3	Immigration and Nationality Act (8 U.S.C
4	1229a).
5	"(iii) Rule of construction.—Any
6	repatriation of an unaccompanied alier
7	child under this subparagraph shall not
8	constitute a removal.";
9	(B) by striking paragraph (3);
10	(C) by redesignating paragraphs (4) and
11	(5) as paragraphs (3) and (4), respectively; and
12	(D) by amending paragraph (3), as redes-
13	ignated, to read as follows:
14	"(3) Screening.—Before returning a child to
15	the child's country of nationality or of last habitual
16	residence, the child shall be interviewed in accord-
17	ance with paragraph (2)(D)."; and
18	(2) in subsection (c)(4), by striking the first
19	sentence and inserting the following: "The Secretary
20	of Health and Human Services shall ensure that
21	custodians receive legal orientation presentations
22	provided through a legal orientation program admin-
23	istered by the Department of Health and Human
24	Services or other appropriate agency.".



1	SEC. 109. APPLYING BARS TO CREDIBLE FEAR INTERVIEWS.
2	Section 235(b)(1)(B)(v) of the Immigration and Na-
3	tionality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by
4	adding at the end the following: "An alien cannot establish
5	eligibility for asylum under section 208 if he or she is sub-
6	ject to a limitation or condition under subsection (b)(2)
7	of such section or a regulation promulgated under such
8	subsection.".
9	SEC. 110. INCREASE OF LIMITATIONS PERIOD FOR ASYLUM
10	FRAUD.
11	Section 3291 of title 18, United States Code, is
12	amended by inserting "and section 1546," after "to 1544,
13	inclusive,".
14	SEC. 111. TECHNICAL AMENDMENTS.
15	Section 208 of the Immigration and Nationality Act
16	(8 U.S.C. 1158) is amended—
17	(1) in subsection (a)—
18	(A) in paragraph (2)(D), by inserting "the
19	Secretary of Homeland Security or" before "the
20	Attorney General"; and
21	(B) in paragraph (3), by inserting "the
22	Secretary of Homeland Security or" before "the
23	Attorney General";
24	(2) in subsection $(b)(2)$ —
25	(A) by inserting "the Secretary of Home-
26	land Security or" before "the Attorney Gen-



1	eral" each place such term appears (other than
2	in subparagraph (A)(v)); and
3	(B) in subparagraph (A)(v), by striking
4	"the Attorney General determines, in the Attor-
5	ney General's discretion," and inserting "the
6	Secretary of Homeland Security or the Attorney
7	General determines, in the sole discretion of the
8	Secretary or the Attorney General, as applica-
9	ble,";
10	(3) in subsection (c)—
11	(A) in paragraph (1), by striking "Attor-
12	ney General" each place it appears and insert-
13	ing "Secretary of Homeland Security"; and
14	(B) in paragraph (3), by inserting "the
15	Secretary of Homeland Security or" before "the
16	Attorney General"; and
17	(4) in subsection (d)—
18	(A) in paragraph (1), by inserting "Sec-
19	retary of Homeland Security or the" before
20	"Attorney General" each place it appears;
21	(B) in paragraph (2), by striking "Attor-
22	ney General" and inserting "Secretary of
23	Homeland Security"; and
24	(C) in paragraph (5)—



1	(i) in subparagraph (A), by striking
2	"Attorney General" and inserting "Sec-
3	retary of Homeland Security"; and
4	(ii) in subparagraph (B), by inserting
5	"Secretary of Homeland Security or the"
6	before "Attorney General".
7	SEC. 112. RULEMAKING.
8	Notwithstanding the requirements under section
9	553(b) of title 5, United States Code, not later than 240
10	days after the date of the enactment of this Act, the Sec-
11	retary of Homeland Security and the Attorney Generally
12	shall publish, in the Federal Register, interim final rules
13	to implement this division.



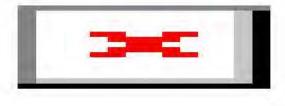
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 To:
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Subject: CSSC-CSIC Merger Confirmed, Two Killed in Lifeboat Drill

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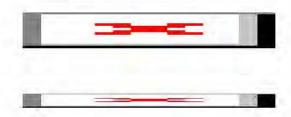






CSSC-CSIC Megamerger Confirmed at Last

In stock exchange filings Monday, China's two giant state-owned shipbuilders finally confirmed a long-rumored megamerger. The tie-up will give them new scale to match Hyundai Heavy Industries' proposed ...

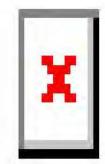






Two Killed in Lifeboat Drill Accident on Shell's Auger Platform

On Sunday morning, two workers on Royal Dutch Shell's Auger platform in the U.S. Gulf of Mexico were killed during a routine lifeboat launch and retrieval exercise. Another was injured and evac...







BP Invests in Technology to Make Livestock Food from Natural Gas

BP Ventures has made an investment of \$30 million in Calysta, Inc., an alternative protein producer, that will use BP's natural gas to produce protein for fish, livestock and pet food. ...

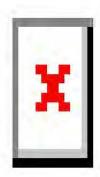




First Blockchain-Managed Container Shipped to the Netherlands

In a first for the Port of Rotterdam, a paperless, instantly financed and fully door-to-door tracked container has been shipped from South Korea to Tilburg in the Netherlands. The Proof of Concept ...





HMM Joins THE Alliance



South Korean carrier HMM (formerly Hyundai Merchant Marine) announced Monday that it is joining THE Alliance, the ocean carrier alliance comprised of Hapag-Lloyd, ONE and Yang Ming. The a...

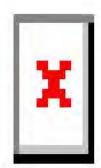




Construction Begins on Second U.S. Offshore Wind Project

Dominion Energy has formally started construction on the Coastal Virginia Offshore Wind project, the second U.S. such farm in the U.S. Deepwater Wind, now a subsidiary of Ørsted, completed t...

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U.S. Navy Deploys an LCS After Yearlong Hiatus

For the first time in a year and a half, the U.S. Navy has dispatched one of its two LCS variants on an overseas deployment. The Independence-class USS Montgomery departed her hom...

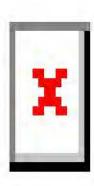
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Japan Buys Into Arctic LNG 2

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U.S. Navy Calls for Outside Help to Fix USS Ford's Elevators

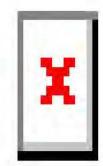
The U.S. Navy is bringing in an independent team of experts to help it fix intractable problems with the carrier USS Gerald R. Ford's weapons elevators. These basic components of F...





Royal Australian Navy's Longest Serving Ship Decommissioned

HMAS Success (II), the longest serving ship in the Royal Australian Navy's Fleet, was decommissioned at her homeport at Sydney's Garden Island on Saturday. HMAS S...

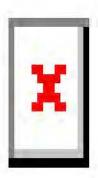


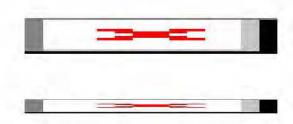
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New LNG Containment System Passes Gas Trials

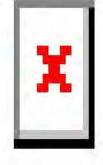
The Saga Dawn will be the first vessel to operate a completely new LNG containment system in decades. LNT Marine has successfully completed gas trials of its novel LNTA-BOX® ...







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- Oceaneering Christens its Newest Ship MSV OCEAN EVOLUTION
- Long-Distance Solo Rower Debra Searle to Deliver Keynote at LISW
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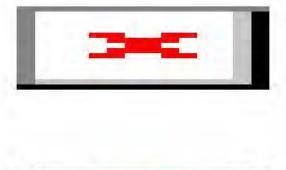
 Sent:
 15 Jun 2019 06:36:15 +0000

 To:
 Balzano, Richard (MARAD)

Subject: Energy Demand Increase Caused by Weather, Virgin Voyages' New

Captain

Global Energy Demand Increase Attributed to Weather Virgin Voyages Appoints Female Captain Budapest; Captain Released on Bail Email not displaying correctly?
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Global Energy Demand Increase Attributed to Weather

BP has released its 68th annual Statistical Review of World Energy, highlighting the growing divergence between demands for action on climate change and the actual pace of progress on reducing carbon emissions. Spencer Dale, BP chief economist, said energy demand and carbon emissi...



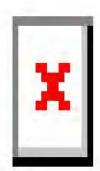




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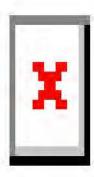
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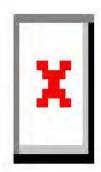




U.S. Regional Offshore Wind Leasing Strategy Announced

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Stamp Honors USS Missouri



On the 75th anniversary of her commissioning, the famous American battleship USS Missouri (BB-43) is being commemorated with the issuance of the USS Missouri Forever stamps. ...

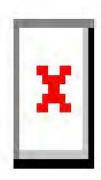
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Carbon Trust Offshore Wind Accelerator Launches Competition

The Carbon Trust's Offshore Wind Accelerator (OWA) has launched a competition to accelerate the development of technologies with the potential to reduce vessel emissions and fuel consumption....

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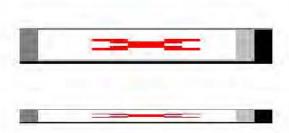
New Leader for Office of Naval Research Global



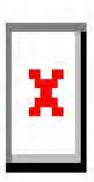
On June 6, the U.S. Office of Naval Research (ONR) Global welcomed new leadership during a change-of-command ceremony at its London headquarters. Capt. James P. Borghardt was sworn in as ...







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- Oshima Shipbuilding and DNV GL Sign Strategic Cooperation
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From: Yarrington, Michael (MARAD)
Sent: 26 Feb 2019 16:14:42 +0000
To: Burnett, Douglas (MARAD)
Cc: Balzano, Richard (MARAD)
Subject: RE: LNG insurance questions

Attachments: IG Reinsurance Schematic 2018.pdf, Gas matters.pdf

Doug,

I just confirmed the following on LNG carriers and LNG propulsion vessels with JLT, NY. Please note that JLT places coverages for 40% of the world 's LNG carriers. I also confirmed the same with a major marine underwriter AXA/XL. AXA/XL is also MARAD's marine insurance agent for War Risk Insurance. In addition, they lead the marine underwriting for the two new Crowley's LNG propulsion vessels built under MARAD's Title XI program.

LNG has been transported commercially since 1964. LNG markets stagnated in 1970-1980 and had a rebirth in the late 1990's. LNG carriers and also LNG propulsion is ever expanding today. The new factor is the updated and modern LNG propulsion systems. LNG carriers and LNG propulsion are high value vessels.

Q: For a US flag LNG ship, are there any special coverages or additional premiums needed to carry LNG or LPG in terms of hull and P&I insurance?

A: They are treated like other vessels. No additional premiums, terms, or BMP. Note: The classification societies certification outline any specific requirements. No class, no coverage.

- H&M is coverage by marine underwriters the same way as other vessels.
- P&I Clubs, aka mutual assurance associations cover 90% of the world tonnages. This
 includes LNG carriers and LNG propulsions.

Special note: H&M premiums are predominately value based rates. LNG premium levels are inherently greater because of the high value of vessel. This is the same for any high value vessel. However, the higher premiums also get the best rate discounts by underwriters.

Q: If so, can you provide basic information on the additional coverages and additional premiums. If you need a vessel size, assume 125,000 cu meters of LNG.

A: none

Q: Do all of the international group of P&I clubs provide this coverage in general?

A: Yes: indirectly, the International Club is the mutual assurance association of the 13

Clubs. This is a complex mutual assurance of the clubs via a reinsurance mechanism. If you are curious, attached is schematic.

Q: Does the American Club provide this coverage?

A: Yes, I understand that they offer the same coverage as all 13 clubs. However, they may not have any LNG carriers entered in their Club.

Q: Are there any website links from the American Club or other P&I Club that describe its LNG insurance program.

A:



https://www.ukpandi.com/fileadmin/uploads/ukpi/LP%20Documents/Carefully to Carry/Gas%20matters.pdf also attached. International Club https://www.igpandi.org/ The American Club - https://www.american-club.com/

H&M underwriters and P&I Clubs have had a long history with LNG carriers – see attached, which notes that there are over 1,500 gas carriers in the world.

Regards,

Michael L. Yarrington, Director (MAR-770)
Tel: 202-366-1915 w (b)(6) c
michael.varrington@dot.gov

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NATO UNCLASSIFIED

From: Burnett, Douglas (MARAD)

Sent: Tuesday, February 26, 2019 8:57 AM

To: Yarrington, Michael (MARAD) < Michael. Yarrington@dot.gov>

Cc: Balzano, Richard (MARAD) < Richard. Balzano@dot.gov>

Subject: LNG insurance questions

Importance: High

Mike,

(b)(5) Deliberative Process Privilege

and we need to answer

insurance questions

For a US flag LNG ship, are there any special coverages or additional premiums needed to carry LNG or LPG in terms of hull and P&I insurance?

If so, can you provide basic information on the additional coverages and additional premiums. If you need a vessel size, assume 125,000 cu meters of LNG.

Do all of the international group of P&I clubs provide this coverage in general?

Does the American Club provide this coverage?

Are there any website links from the American Club or other P&I Club that describe its LNG insurance program.

If you can provide this information by 1300 today it will be appreciated.

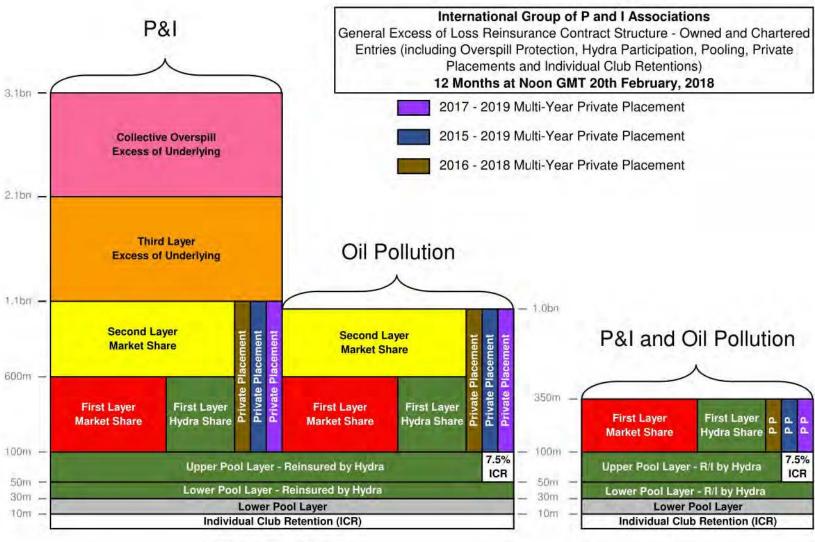


Regards,

Doug

Chief Counsel
Maritime Administration
U.S. Department of Transportation
202-366-0709
RM W24-310
1200 New Jerey Ave SE
Washington DC 20590





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Gas matters

A focus on some of the issues surrounding gas tanker fleets in the P&I world





Introduction

The renewed interest in gas, which started in the 1990s due to its excellent environmental credentials, has seen an increase in the order book for LNG carriers – LNG carriers being the leviathans of the gas carrier fleet. Yet, while attracting great interest, the gas trade still employs relatively few ships in comparison to oil tankers, and hence its inner workings are little known except to a specialist group of companies and mariners.

Considering the fleet of gas carriers of over 1,000m^s capacity, the total of over 1,500 ships can be divided into 5 major types according to the following table:

record is acknowledged as an industry leader. As an illustration of the robustness of gas carriers, when the Gaz Fountain was hit by rockets in the first Gulf War, despite penetration of the containment system with huge jet fires, the fires were successfully extinguished and the ship, together with most cargo, salved.

The relative safety of the gas carrier is due to a number of features. One such, almost unique to the class, is that cargo tanks are always kept under positive pressure (sometimes just a small overpressure) and this prevents air entering the cargo system. (Of course special procedures apply when stemmed for drydock).

The gas carrier fleet						
	Pressurised LPG carriers	Semi-pressurised LPG carriers	Ethylene carriers	Fully refrigerated LPG carners	LNG carriers	
Ship numbers	673	313	140	261	372	
Total capacity (m³)	1,812,823	2,849,355	1,234,029	10,725,479	29,059,620	

By contrast, the world oil tanker fleet for a similar size range is over 12,000 ships!

Given the relative paucity of knowledge on gas tankers in comparison to oil tankers, the purpose of this article is to describe the gas carrier genre, its particularities within each type and its comparison with other tankers. The aim is to provide basic knowledge about gas carriers and an overview of their strengths and weaknesses, both from design and operational viewpoints.

The article on page 11 describes the liquefied natural gas (LNG) carrier in more detail. The introduction of a tanker designed to carry compressed natural gas (CNG) is anticipated in the near future. A number of designs have been produced but, due to the relatively low deadweight and high cost of these ships, the first commercial application of this technology cannot be predicted.

The gas carrier is often portrayed in the media as a potential floating bomb, but accident statistics do not bear this out. Indeed, the sealed nature of liquefied gas cargoes, in tanks completely segregated from oxygen or air, virtually excludes any possibility of a tank explosion. However, the image of the unsafe ship lingers, with some administrations and port state control organisations tending to target such ships for special inspection whenever they enter harbour. The truth is that serious accidents related to gas carrier cargoes have been few, and the gas carrier's safety

This means that only liquid cargo or vapour can be present and, accordingly, a flammable atmosphere cannot exist in the cargo system. Moreover all large gas carriers utilise a closed loading system with no venting to atmosphere, and a vapour return pipeline to the shore is often fitted and used where required. The oxygen-free nature of the cargo system and the very serious limitation of cargo escape to atmosphere combine to make for a very safe design concept.

The liquefied gases

First let us consider some definitions in the gas trade. According to the IMO, a liquefied gas is a gaseous substance at ambient temperature and pressure, but liquefied by pressurisation or refrigeration - sometimes a combination of both. Virtually all liquefied gases are hydrocarbons and flammable in nature. Liquefaction itself packages the gas into volumes well suited to international carriage - freight rates for a gas in its non-liquefied form would be normally far too costly. The principal gas cargoes are LNG, LPG and a variety of petrochemical gases. All have their specific hazards. LNG is liquefied natural gas and is methane naturally occurring within the earth, or in association with oil fields. It is carried in its liquefied form at its boiling point of -162°C. Depending on the standard of production at the loading port, the quality of LNG can vary but it usually contains fractions of some heavier ends such as ethane (up to 5%) and traces of propane.

The second main cargo type is LPG (liquefied petroleum gas). This grade covers both butane and



propane, or a mix of the two. The main use for these products varies from country to country but sizeable volumes go as power station or refinery fuels. However LPG is also sought after as a bottled cooking gas and it can form a feedstock at chemical plants. It is also used as an aerosol propellant (with the demise of CFCs) and is added to gasoline as a vapour pressure enhancer. Whereas methane is always carried cold, both types of LPG may be carried in either the pressurised or refrigerated state. Occasionally they may be carried in a special type of carrier known as the semi-pressurised ship. When fully refrigerated, butane is carried at -5°C, with propane at -42°C, this latter temperature already introducing the need for special steels.

Ammonia is one of the most common chemical gases and is carried worldwide in large volumes, mainly for agricultural purposes. It does however have particularly toxic qualities and requires great care during handling and carriage. By regulation, all liquefied gases when carried in bulk must be carried on a gas carrier, as defined by the IMO. IMO's Gas Codes (see next section – Design of gas carriers) provide a list of safety precautions and design features required for each product.

A specialist sector within the trade is the ethylene market, moving around one million tonnes by sea annually, and very sophisticated ships are available for this carriage. Temperatures here are down to -104°C and onboard systems require perhaps the highest degree of expertise within what is already a highly specialised and automated industry. Within this group a sub-set of highly specialised ships is able to carry multi-grades simultaneously.

Significant in the design and operation of gas carriers is that methane vapour is lighter than air while LPG vapours are heavier than air. For this reason the gas carrier regulations allow only methane to be used as a propulsion fuel – any minor gas seepage in engine spaces being naturally ventilated. The principal hydrocarbon gases such as butane, propane and methane are non-toxic in nature and a comparison of the relative hazards from oils and gases is provided in the table below.

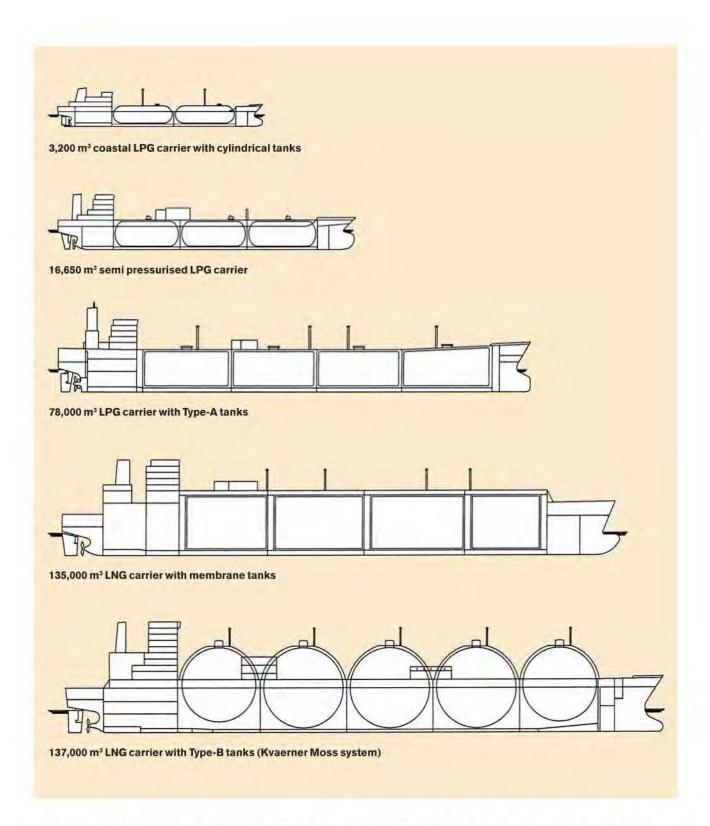
Design of gas carriers

The regulations for the design and construction of gas carriers stem from practical ship designs codified by the International Maritime Organization (IMO). This was a seminal piece of work and drew upon the knowledge of many experts in the field - people who had already been designing and building such ships. This work resulted in several rules and a number of recommendations. However all new ships (from June 1986) are built to the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (the IGC Code). This code also defines cargo properties and documentation, provided to the ship (the Certificate of Fitness for the Carriage of Liquefied Gases in Bulk), shows the cargo grades the ship can carry. In particular this takes into account temperature limitations imposed by the metallurgical properties of the materials making up the containment and piping systems. It also takes into account the reactions between various gases and the elements of construction not only on tanks but also related to pipeline and valve fittings.

When the IGC Code was produced an intermediate

	GASES		OILS	
HAZARD	LNG	LPG	GASOLINE	FUEL OIL
Toxic	No	No	Yes	Yes
Carcinogenic	No	No	Yes	Yes
Asphyxiant	Yes (in confined spaces)	Yes (in confined spaces)	No	No
Others	Low temperature	Moderately low temperature	Eye irritant, narcotic, nausea	Eye irritant, narcotic, nausea
Flammability limits n air (%)	5-15	2-10	1-6	Not applicable
Storage pressure	Atmospheric	Often pressurised	Atmospheric	Atmospheric
Behaviour if spilt	Evaporates forming a visible 'cloud' that disperses readily and is non-explosive, unless contained	Evaporates forming an explosive vapour cloud	Forms a flammable pool which if ignited would burn with explosive force, environmental clean-up may be required	Forms a flammable pool, environmental clean-up is required





code was also developed by the IMO – the Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (the GC Code). This covers ships built between 1977 and 1986.

As alluded to above, gas carriers were in existence before IMO codification and ships built before 1977 are defined as 'existing ships' within the meaning of the rules. To cover these ships a voluntary code was devised, again by the IMO – the Code for Existing Ships Carrying Liquefied Gases in Bulk (the Existing

Ship Code). Despite its voluntary status, virtually all ships remaining in the fleet of this age – and because of longevity programmes there are still quite a number – have certification in accordance with the Existing Ship Code as otherwise international chartering opportunities would be severely restricted.

Cargo carriage in the pressurised fleet comprises double cargo containment – hull and tank. All other gas carriers are built with a double hull structure and the distance of the inner hull from the outer is defined in the



gas codes. This spacing introduces a vital safety feature to mitigate the consequences of collision and grounding. Investigation of a number of actual collisions at the time the gas codes were developed drew conclusions on appropriate hull separations which were then incorporated in the codes. Collisions do occur within the class and, to date, the codes' recommendations have stood the test of time, with no penetrations of cargo containment having been reported from this cause. The double hull concept includes the bottom areas as a protection against grounding and, again, the designer's foresight has proven of great value in several serious grounding incidents, saving the crew and surrounding populations from the consequences of a ruptured containment system.

So a principal feature of gas carrier design is double containment and an internal hold. The cargo tanks, more generally referred to as the 'cargo containment system', are installed in the hold, often as a completely separate entity from the ship; ie. not part of the ship's structure or its strength members. Herein lies a distinctive difference between gas carriers and their sisters, the oil tankers and chemical carriers.

Cargo tanks may be of the independent self-supporting type or of a membrane design. The self-supporting tanks are defined in the *IGC Code* as being of Type-A, Type-B or Type-C. Type-A containment comprises box-shaped or prismatic tanks (ie. shaped to fit the hold).

Type-B comprises tanks where fatigue life and crack propagation analyses have shown improved characteristics. Such tanks are usually spherical but occasionally may be of prismatic types. Type-C tanks are the pure pressure vessels, often spherical or cylindrical, but sometimes bi-lobe in shape to minimise broken stowage.

The fitting of one system in preference to another tends towards particular trades. For example, Type-C tanks are suited to small volume carriage. They are therefore found most often on coastal or regional craft. The large international LPG carrier will normally be fitted with Type-A Tanks. Type-B tanks and tanks following membrane principles are found mainly within the LNG fleet.

The pressurised fleet

The first diagram, on the previous page, and the photograph above show a small fully pressurised carrier. Regional and coastal cargoes are often carried in such craft with the cargo fully pressurised at ambient temperature. Accordingly, the tanks are built as pure



Pressurised LPG carrier with cylindrical tanks

pressure vessels without the need for any extra metallurgical consideration appropriate to colder temperatures. Design pressures are usually for propane (about 20 bar) as this form of LPG gives the highest vapour pressure at ambient temperature. As described above, ship design comprises outer hull and an inner hold containing the pressure vessels. These rest in saddles built into the ship's structure. Double bottoms and other spaces act as water ballast tanks and if problems are to develop with age then the ballast tanks are prime candidates. These ships are the most numerous class, comprising approximately 40% of the fleet. They are nevertheless relatively simple in design yet strong of construction.

Cargo operations that accompany such ships include cargo transfer by flexible hose and in certain areas, such as China, ship-to-ship transfer operations from larger refrigerated ships operating internationally are commonplace.

Records show that several ships in this class have been lost at sea because of collision or grounding, but penetration of the cargo system has never been proven. In one case, a ship sank off Italy and several years later refloated naturally, to the surprise of all, as the cargo had slowly vaporised adding back lost buoyancy.



Semi-pressurised LPG carrier



The semi-pressurised fleet

In these ships, sometimes referred to as 'semi-refrigerated', the cargo is carried in pressure vessels usually bi-lobe in cross-section, designed for operating pressures of up to 7 bars. The tanks are constructed of special grade steel suitable for the cargo carriage temperature. The tanks are insulated to minimise heat input to the cargo. The cargo boils off causing generation of vapour, which is reliquefied by refrigeration and returned to the cargo tanks. The required cargo temperature and pressure is maintained by the reliquefaction plant.

These ships are usually larger than the fully pressurised types and have cargo capacities up to about 20,000m³. As with the fully pressurised ship, the cargo tanks are of pressure vessel construction and similarly located well inboard of the ship's side and also protected by double bottom ballast tanks. This arrangement again results in a very robust and inherently buoyant ship.

The ethylene fleet

Ethylene, one of the chemical gases, is the premier building block of the petrochemicals industry. It is used in the production of polyethylene, ethylene dichloride, ethanol, styrene, glycols and many other products. Storage is usually as a fully refrigerated liquid at -104°C.

Ships designed for ethylene carriage also fall into the semi-pressurised class. They are relatively few in number but are among the most sophisticated ships afloat. In the more advanced designs they have the ability to carry several grades. Typically this range can extend to ethane, LPG, ammonia, propylene butadiene and vinyl chloride monomer (VCM), all featuring on their certificate of fitness. To aid in this process several independent cargo systems co-exist onboard to avoid cross contamination of the cargoes, especially for the reliquefaction process.

The ships range in size from about 2,000m³ to 15,000m³ although several larger ships now trade in ethylene. Ship design usually includes independent cargo tanks (Type-C), and these may be cylindrical or bi-lobe in shape constructed from stainless steel. An inert gas generator is provided to produce dry inert gas or dry air. The generator is used for inerting and for the dehydration of the cargo system as well as the interbarrier spaces during voyage. For these condensation occurs on cold surfaces with unwanted build-ups of ice. Deck tanks are normally provided for changeover of cargoes.

The hazards associated with the cargoes involved are



Fully refrigerated LPG carrier

obvious from temperature, toxic and flammable concerns. Accordingly, the safety of all such craft is critical with good management and serious personnel training remaining paramount.

The fully refrigerated fleet

These are generally large ships, up to about 100,000m³ cargo capacity, those above 70,000m³ being designated as VLGCs. Many in the intermediate range (say 30,000m³ to 60,000m³) are suitable for carrying the full range of hydrocarbon liquid gas from butane to propylene and may be equipped to carry chemical liquid gases such as ammonia. Cargoes are carried at near ambient pressure and at temperatures down to -48°C. Reliquefaction plants are fitted, with substantial reserve plant capacity provided. The cargo tanks do not have to withstand high pressures and are therefore generally of the free standing prismatic type. The tanks are robustly stiffened internally and constructed of special low temperature resistant steel.

All ships have substantial double bottom spaces and some have side ballast tanks. In all cases the tanks are protectively located inboard. The ship's structure surrounding or adjacent to the cargo tanks is also of special grade steel, in order to form a secondary barrier to safely contain any cold cargo should it leak from the cargo tanks.

All cargo tanks, whether they be of the pressure vessel type or rectangular, are provided with safety relief valves amply sized to relieve boil-off in the absence of reliquefaction and even in conditions of surrounding fire.

The LNG fleet

Although there are a few exceptions, the principal ships in the LNG fleet range from 75,000m³ to 265,000m³ capacity. The cargo tanks are thermally insulated and the cargo carried at atmospheric pressure. Cargo tanks may be free standing spherical, of the membrane





LNG carrier with Type-B tanks (Kvaerner Moss system)



LNG carrier with membrane tanks

type, or alternatively, prismatic in design. In the case of membrane tanks, the cargo is contained within thin walled tanks of invar or stainless steel. The tanks are anchored in appropriate locations to the inner hull and the cargo load is transmitted to the inner hull through the intervening thermal insulation.

All LNG carriers have a watertight inner hull and most tank designs are required to have a secondary containment capable of safely holding any leakage for a period of 15 days. Because of the simplicity and reliability of stress analysis of the spherical containment designs, a full secondary barrier is not required but splash barriers and insulated drip trays protect the inner hull from any leakage that might occur in operation.

Crew training and numbers

As they did for oil tankers and chemical carriers, the IMO has laid down a series of training standards for gas carrier crews which come in addition to normal certification. These dangerous cargo endorsements are spelt out in the STCW Convention.

Courses are divided into the basic course for junior officers and the advanced course for senior officers. IMO rules require a certain amount of onboard gas experience, especially at senior ranks, before taking on

the responsible role or before progressing to the next rank. This can introduce checks and balances (say) in the case of a master from the bulk ore trades wanting to convert to the gas trade.

The only way, without previous gas experience, to achieve this switch is to have the candidate complete the requisite course and sail as a supernumerary, understudying the rank for a specified period on a gas carrier. This can be costly for seafarer and company alike. Accordingly, as the switch can be difficult to manage, especially at senior ranks, current requirements tend to maintain a close-knit cadre of 'gas men or women' well experienced in the trade.

In addition to the official certification for hazardous cargo endorsements, a number of colleges operate special courses for gas cargo handling. In the UK a leader in the field is the Warsash Maritime Centre. While this situation provides for a well-trained and highly knowledgeable environment the continued growth in the fleet currently strains manpower resources and training schedules and it is possible that short cuts may be taken.

While the small gas carriers normally operate at minimum crew levels, on the larger carriers it is normal to find increased crewing levels over and above the minimum required by the ship's manning certificate. For example, it is almost universal to carry a cargo engineer onboard a large gas carrier. An electrician is a usual addition and the deck officer complement may well be increased.

Gas carriers and port operations

As gas carriers have grown in size, so too has a concern over in-port safety. Indeed, the same concerns applied with the growth in tanker sizes when the VLCC came to the drawing board. The solutions are similar; however, in the case of the gas carrier, a higher degree of automation and instrumentation is often apparent controlling the interface between ship and shore.

Terminals are also protected by careful risk analysis at the time of construction so helping to ensure that the location and size of maximum credible spill scenarios are identified, and that suitable precautions including appropriate safety distances are established between operational areas and local populations.

Regarding shipping operations, risk analysis often identifies the cargo manifold as the area likely to produce the maximum credible spill. This should be controlled by a number of measures. Primarily, as for all



large oil tankers, gas carriers should be held firmly in position whilst handling cargo, and mooring management should be of a high calibre. Mooring ropes should be well managed throughout loading and discharging. Safe mooring is often the subject of computerised mooring analysis, especially for new ships arriving at new ports, thus helping to ensure a sensible mooring array suited to the harshest conditions. An accident in the UK highlighted the consequences of a lack of such procedures when, in 1993, a 60,000m³ LPG carrier broke out from her berth in storm conditions. This was the subject of an official MCA/HSE inquiry concluding that prior mooring analysis was vital to safe operations.

The safe mooring principles attached to gas carriers are similar to those recommended for oil tankers (they are itemised in *Mooring Equipment Guidelines*, see References, inside back page).

The need for such ships to be held firmly in position during cargo handling is due in part to the use of loading arms (hard arms – see photos) for cargo transfer. Such equipment is of limited reach in comparison to hoses, yet it provides the ultimate in robustness. It also provides simplicity in the connection at the cargo manifold.



Hard arms at cargo manifold, including vapour return line



Hard arm connection to manifold, showing double ball valve safety release

The use of loading arms for the large gas carrier is now quite common and, if not a national requirement, is certainly an industry recommendation. The alternative use of hoses is fraught with concerns over hose care and maintenance, and their proper layout and support during operations to prevent kinking and abrasion. Further, accident statistics show that hoses have inferior qualities in comparison to the hard arms.

Perhaps the worst case of hose failure occurred in 1985 when a large LPG carrier was loading at Pajaritos, Mexico. Here, the hose burst and, in a short time, the resulting gas cloud ignited. The consequent fire and explosion impinged directly on three other ships in harbour and resulted in four deaths. It was one of those accidents which has led directly to a much increased use of loading arms internationally. The jetty was out of action for approximately six months. Fortunately the berth was in an industrial area and collateral damage to areas outside the refinery was limited.

As ships have grown in size the installation of vapour return lines interconnecting ship and shore vapour systems has become more common. Indeed, in the





Hard arm quick connect/disconnect coupler (QCDC)

LNG industry it is required, with the vapour return being an integral part of the loading or discharging system. In the LPG trades, vapour returns are also common, but are only opened in critical situations such as where onboard reliquefaction equipment is unable to cope with the loading rate and boil-off.

A feature common to both ship and shore is that both have emergency shutdown systems. It is now common to interconnect such systems so that, for example, an emergency on the ship will stop shore-based loading pumps. One such problem may be the automatic detection of the ship moving beyond the safe working envelope for the loading arms. A further refinement at some larger terminals is to have the loading arms fitted with emergency release devices, so saving the loading arms from fracture (see top photo, previous page).

Given good moorings and well-designed loading arms, the most likely sources of leakage are identified and controlled.

Hazards to shore workers and crewmembers at refit

While the gas carrier accident record is very good for normal operations, and exemplary with respect to cargo operations and containment, the same cannot be said for the risks it faces in drydock. Statistics show that the gas carrier in drydock presents a serious risk to personnel, particularly with respect to adequate ventilation through proper inerting and gas-freeing before repairs begin. Most often the risk relates to minor leakage from a cargo tank into the insulation surrounding refrigerated LPG tanks. A massive explosion occurred on the *Nyhammer* at a Korean shipyard in 1993 for this very reason, where considerable loss of life occurred. Although the ship was repaired, it was a massive job.

Checklist

The following checklist, made available from SIGTTO*, may be used as guidance in a casualty situation involving a disabled gas carrier.

- What cargo is onboard?
- Is specialist advice available in respect of the cargo and its properties?
- Are all parties involved aware of cargo properties?
- Is the cargo containment system intact?
- Is the ship venting gas?
- Is the ship likely to vent gas?
- What will be the vented gas and what are its dispersal characteristics?
- Is a gas dispersion modelling tool available?
- Is the ship damaged?
- Does damage compromise the ship's manoeuvring ability?
- What activities and services are planned to restore a seaworthy condition?
- Is ship-to-ship transfer equipment available if required?
- When is it expected the ship will be seaworthy again?
- Is prevailing shelter (and other dangers) suitable for the intended repairs?
- What contingency plans are required?
- Who will control the operation?
- How will the ship operator and port or public authorities co-operate?
- Will customs and immigration procedures need facilitation for equipment and advisers?



^{*} Society of International Gas Tanker and Terminal Operators – see inside back page

Liquefied natural gas

Background

It was as far back as 1959 that the Methane Pioneer carried the first experimental LNG cargo and, in 1964, British Gas at Canvey Island received the inaugural cargo from Arzew on the Methane Princess. Together with the Methane Progress these two ships formed the core of the Algeria to UK project, and the project-based nature of LNG shipping was set to continue until the end of the 20th century. LNG carriers only existed where there were projects, with ships built specifically for employment within the projects. The projects were based on huge joint ventures between cargo buyers, cargo sellers and shippers, all in themselves large companies prepared to do long-term business together.

The projects were self-contained and operated without much need for outside help. They supplied gas using a purpose-built fleet operating like clockwork on a CIF basis. Due to commercial constraints, the need for precisely scheduled deliveries and limited shore tank capacities, spot loadings were not feasible and it is only in recent years that some projects now accept LNG carriers as cross-traders, operating more like their tramping cousins - the oil tankers. Doubtless the trend to spot trading will continue. However, the co-operative nature of LNG's beginnings has led to several operational features unique to the ships. In particular there is the acceptance that LNG carriers burn LNG cargo as a propulsive fuel. They also retain cargo onboard after discharge (the 'heel') as an aid to keeping the ship cooled down and ready to load on arrival at the load port. Thus matters that would be anathema to normal international trades are accepted as normal practice for LNG.

Again, looking back to the early days, there was also great interest in this new fuel in the USA and France. Receiving terminals sprouted. However, gas pricing difficulties in the USA saw an end to early American interest while Gaz de France consolidated rather than expanded. Indeed, the American pricing problems, and the failure of an early US-built shipboard Conch containment system on newbuildings, blanketed any spectacular progress in the Atlantic basin until the regeneration of interest initiated by the Trinidad project in 1999.

At that time, the stifling of European interest was also due to the discovery of natural gas in the North Sea, so quantities to replace town gas were available in sufficient volume on the doorstep without the need for imports. This being so, the first LNG project from Algeria to UK eventually faltered, with the receiving

terminal at Canvey Island switching to other interests. The stagnation of LNG in the 70s and 80s applied the world over, with the singular exception of imports to Japan and Korea. Here interest in LNG's potential as an environmentally-friendly fuel stayed vibrant; as it does today.

LNG projects are massive multi-billion dollar investments. Major projects in the Far East included Brunei to Japan, Indonesia to Japan, Malaysia to Japan and Australia to Japan, comprising some 90% of the LNG trade of the day. Consequently, the Japanese defined much of what is seen best today in way of safety standards and procedures. It is worthy of note, however, that some early safety standards and practices are being questioned today in the light of experience in a more mature industry.

LNG as a fuel

Because the ships, terminals and commercial entities were all bound together in the same chain, advantages could be seen in limiting 'unnecessary' shipboard equipment, such as reliquefaction plant, and allowing the boil-off to be burnt as fuel. One way or another the ship would need fuel, be it oil or gas and, if gas, it was only then a matter to quantify usage and to direct the appropriate cost to the appropriate project partner. Interestingly, this concept was recognised in the IMO's Gas Codes from the very earliest days, and with the appropriate safety equipment in place the regulations allow methane to be burnt in ships' boilers. This is not the case for LPG, where reliquefaction equipment is a fitment, but specifically because the LPGs are heavier than air gases and use in engine rooms is thereby disallowed.

LNG quality

LNG is liquefied natural gas. It is sharply clear and colourless. It comprises mainly methane but has a percentage of constituents such as ethane, butane and propane together with nitrogen. It is produced from either gas wells or oil wells. In the case of the latter it is known as associated gas. At the point of production the gas is processed to remove impurities and the degree to which this is achieved depends on the facilities available. Typically this results in LNG with between 80% and 95% methane content. The resulting LNG can therefore vary in quality from loading terminal to loading terminal or from day-to-day.

Other physical qualities that can change significantly are the specific gravity and the calorific value of the



LNG, which depend on the characteristics of the gas field. The specific gravity affects the deadweight of cargo that can be carried in a given volume, and the calorific value affects both the monetary value of the cargo and the energy obtained from the boil-off gas fuel.

These factors have significance in commercial arrangements and gas quality is checked for each cargo, usually in a shore-based laboratory by means of gas chromatography. LNG vapour is flammable in air and, in case of leakage, codes require an exclusion zone to allow natural dispersion and to limit the risk of ignition of a vapour cloud. Fire hazards are further limited by always handling the product within oxygenfree systems. Unlike oil tankers under inert gas, or in some cases air, LNG carriers operate with the vapour space at 100% methane. LNG vapour is non-toxic, although in sufficient concentration it can act as an asphyxiant.

Gas quality is also significant from a shipboard perspective. LNGs high in nitrogen, with an atmospheric boiling point of -196°C, naturally allow nitrogen to boil-off preferentially at voyage start thus lowering the calorific value of the gas as a fuel. Towards the end of a ballast passage, when remaining 'heel' has all but been consumed, the remaining liquids tend to be high on the heavier components such as the LPGs. This raises the boiling point of the remaining cargo and has a detrimental effect on tank cooling capabilities in readiness for the next cargo.

The good combustion qualities attributed to methane make it a great attraction today as a fuel at electric power stations. It is a 'clean' fuel. It burns producing little or no smoke and nitrous oxide and sulphur oxide emissions produce figures far better than can be achieved when burning normal liquids such as low sulphur fuel oil. Natural gas has thus become attractive to industry and governments striving to meet environmental targets set under various international protocols such as the Rio Convention and the Kyoto Protocol. The practice of firing marine boilers on methane provides the further environmental advantage of lesser soot-blowing operations and much fewer carbon deposits.

Cargo handling

The process of liquefaction is one of refrigeration and, once liquefied, the gas is stored at atmospheric pressure at its boiling point of -162°C. At loading terminals any boil-off from shore tanks can be reliquefied and returned to storage. However, on ships this is almost certainly not the case. According to

design, it is onboard practice to burn boil-off gas (often together with fuel oil) in the ship's boilers to provide propulsion. In the general terms of seaborne trade this is an odd way to handle cargo and is reminiscent of old tales of derring-do from the 19th century when a cargo might have been burnt for emergency purposes. It is nevertheless the way in which the LNG trade operates. Boil-off is burnt in the ship's boilers to the extent that it evaporates from its mother liquid. Clearly cargo volumes at the discharge port do not match those loaded.

Accounting however is not overlooked and LNG carriers are outfitted with sophisticated means of cargo measurement. This equipment is commonly referred to as the 'custody transfer system' and is used in preference to shore tank measurements. These systems normally have precise radar measurement of tank ullage while the tanks themselves are specially calibrated by a classification society to a fine degree of accuracy. The system automatically applies corrections for trim and list using equipment self-levelled in drydock. The resulting cargo volumes, corrected for the expansion and contraction of the tanks, are normally computed automatically by the system.

Cargo tank design requires carriage at atmospheric pressure and there is little to spare in tank design for over or under pressures. Indeed, the extent to which pressure build-up can be contained in a ship's tanks is very limited in the case of membrane cargo tanks, although less so for Type-B tanks. Normally this is not a problem, as at sea the ship is burning boil-off as fuel or in port has its vapour header connected to the terminal vapour return system. Clearly, however, there are short periods between these operations when pressure containment is necessary. This can be managed. So taken together, shipboard operations efficiently carried out succeed in averting all possible discharges to atmosphere, apart that is from minor escapes at pipe flanges, etc. Certainly this is part of the design criteria for the class as it is recognised that methane is a greenhouse gas.

Boil-off gas (BOG) is limited by tank insulation and newbuilding contracts specify the efficiency required. Usually this is stated in terms of a volume boil-off per day under set ambient conditions for sea and air temperature. The guaranteed maximum figure for boil-off would normally be about 0.15% of cargo volume per day.

While at sea, vapours bound for the boilers must be boosted to the engine room by a low-duty compressor via a vapour heater. The heater raises the temperature of the boil-off to a level suited for combustion and to a point where cryogenic materials are no longer required in



construction. The boil-off then enters the engine room suitably warmed but first passes an automatically controlled master gas valve before reaching an array of control and shutoff valves for direction to each burner.

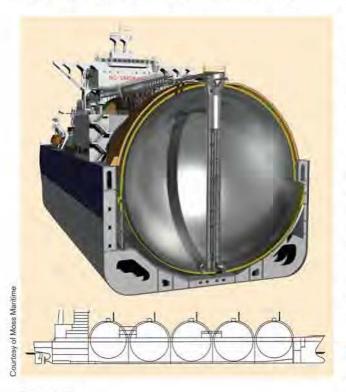
As a safety feature, the gas pipeline through the engine room is of annular construction, with the outer pipe purged and constantly checked for methane ingress. In this area, operational safety is paramount and sensors cause shutdown of the master gas valve in alarm conditions. A vital procedure in the case of a boiler flameout is to purge all gas from the boilers before attempting re-ignition. Without such care boiler explosions are possible and occasional accidents of this type have occurred.

Cargo care

The majority of LNG shippers and receivers have a legitimate concern over foreign bodies getting into tanks and pipelines. The main concern is the risk of valve blockage if (say) an old welding rod becomes lodged in a valve seat. Such occurrences are not unknown with a



LNG carrier with Type-B tanks (Kvaerner Moss system)



Moss design

ship discharging first cargoes after newbuilding or recently having come from drydock.

Accordingly, and despite discharge time diseconomies, it is common practice to fit filters at the ship's liquid manifold connections to stop any such material from entering the shore system. The ship normally supplies filters fitting neatly into the manifold piping.

In a similar vein, even small particulate matter can cause concerns. The carry-over of silica gel dust from inert gas driers is one such example. Another possible cause of contamination is poor combustion at inert gas plants and ships tanks becoming coated with soot and carbon deposits during gas freeing and gassing up operations. Subsequently, the contaminants may be washed into gas mains and, accordingly, cargoes may be rejected if unfit. Tank cleanliness is vital and, especially after drydock, tanks must be thoroughly vacuumed and dusted.

A cargo was once rejected in Japan when, resulting from a misoperation, steam was accidentally applied to the main turbine with the ship secured alongside the berth. The ship broke out from the berth, but fortunately the loading arms had not been connected. This action was sufficient however for cargo receivers to reject the ship, and the cargo could only be delivered after a specialised ship-to-ship transfer operation had been accomplished. The ship-to-ship transfer of LNG has only ever been carried out on a few occasions and is an operation requiring perfect weather, great care and specialist equipment.

Another case of cargo rejection, this time resulting in a distressed sale, involved a shipment to Cove Point in the USA, where the strict requirements which prevail on in-tank pressures on arrival at the berth were not adhered to. The ship had previously been ordered to reduce pressure for arrival. This is a difficult job to perform satisfactorily and, if it is to be successful, the pressure reduction operation must progress with diligence throughout the loaded voyage by forcing additional cargo evaporation to the boilers. This cools the cargo and hence reduces vapour space pressure. The process of drawing vapour from the vapour space at the last moment is ineffective, because the cargo itself is not in balance with that pressure and once gas burning stops the vapour space will return to its high equilibrium pressure. This process is known in the trade as 'cargo conditioning'.

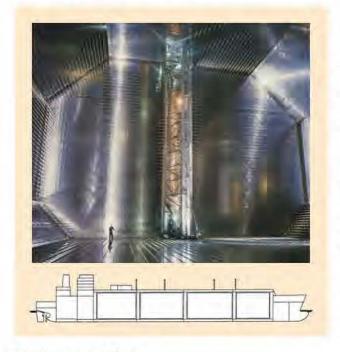
Ship care

A temperature of -162°C is astonishingly cold. Most standard materials brought into contact with LNG





LNG carrier with membrane tanks



Membrane design (GTT)

become highly brittle and fracture. For this reason pipelines and containment systems are built from specially chosen material that do not have these drawbacks. The preferred materials of construction are aluminium and stainless steel. However these materials do not commonly feature over the ship's weatherdecks, tank weather covers or hull. These areas are constructed from traditional carbon steel. Accordingly, every care is taken to ensure that LNG is not spilt. A spill of LNG will cause irrevocable damage to the decks or hull normally necessitating emergency drydocking. Accidents of this nature have occurred, fortunately none reporting serious personal injury, but resulting, nevertheless, in extended periods off-hire.

LNG carriers are double-hulled ships specially designed and insulated to prevent leakage and rupture in the event of accident such as grounding or collision. That aside, though sophisticated in control and expensive in materials, they are simple in concept. Mostly they carry LNG in just four, five or six centreline tanks. Only a few have certification and equipment for cross trading in LPG. The cargo boils on passage and is not reliquefied onboard – it is carried at atmospheric pressure. Although there are four current methods to

construct seaborne LNG tanks, only two are in majority usage. There are the spherical tanks of Moss design and the membrane tanks from Gaz Transport or Technigaz (two French companies, now amalgamated as GTT). Each is contained within the double hull where the water ballast tanks reside. The world fleet divides approximately 50/50 between the two systems.

Regarding spherical tanks, a very limited number were constructed from 9% nickel steel, the majority are constructed from aluminium. A disadvantage of the spherical system is that the tanks do not fit the contours of a ship's hull and the consequent 'broken-stowage' is a serious diseconomy. In general terms, for two LNG ships of the same carrying capacity, a ship of Moss design will be about 10% longer. It will also have its navigating bridge set at a higher level to allow good viewing for safe navigation. On the other hand the spherical tanks are simple in design and simple to install in comparison to the membrane system, with its complication of twin barriers and laminated-type construction.

Tank designs are often a controlling factor in building an LNG carrier. Shipyards usually specialise in one type or the other. Where a yard specialises in the Moss system, giant cranes are required to lift the tanks into the ships and limits on crane outreach and construction tooling facilities currently restrict such tanks to a diameter of about 40 metres.

Early LNG carriers had carrying capacities of about 25,00m³. This swiftly rose to about 75,000m³ for the Brunei project and later ships settled on 125,000m³. For some years this remained the norm, giving a loaded draught of about 11.5 metres, thus stretching the port facilities of most discharge terminals to their limits. Since then, however, there have been some incremental increases in size, usually maintaining draft but increasing beam, resulting in ship sizes now of about 145,000m³. That said, one of the newest in class is the *Pioneer Knudsen*, trading at only 1,100m³ capacity from a facility near Bergen to customers on the Norwegian west coast.

Large, modern LNG carriers have dimensions approximately as follows:

Capacity (m³)	145,000	215,000	265,000
Length	295m	315m	345m
Beam	48m	50m	54m
Loaded draft	12m	12m	12m

LNG having a typical density of only 420kg/m³ allows the ships, even when fully laden, to ride with a high



freeboard. They never appear very low in the water as a fully laden oil tanker may do. Ballast drafts are maintained close to laden drafts and, for a ship having a laden draft of 12 metres, a ballast draft of 11 metres is likely. This means that for manoeuvring in port in windy conditions the ships are always susceptible to being blown to one side of the channel, and restrictions on port manoeuvring usually apply with extra tug power commonly specified.

Another salient feature of the LNG class is the propensity to fit steam turbine propulsion. This is an anachronism brought about by a reluctance to change over the years, together with a fear that a system as yet untried on LNG carriers may not find favour with the principal charterers - the Japanese. Most other ship types of this size have diesel engines and the engineers to run diesel equipment are plentiful and suitably trained. On the other hand, engineers knowledgeable in steam matters are few and their training base is the ship itself. This situation is changing though, with both diesel electric dual fuel systems and slow speed diesels now finding favour. With slow speed diesel propulsion, reliquefaction plants will be required onboard to handle boil-off gas, and all diesel systems will require back-up gas disposal facilities - also known as 'gas combustion units' (GCUs) - for when either the reliquefaction plants or the duel fuel diesel engines are not available to process boil-off gas.

LNG ships are expensive to build. They comprise very valuable assets: generally far too good to let rust away. Shipowners and ship managers alike recognise this and, together with inspection regimes, the overall quality of LNG tonnage is kept to a high standard. Age for age, they are probably the best maintained ships in the world. Of course some of these ships are now old and only a few have ever been scrapped; some are over 40 years old. This is very old for a large tanker trading all its life in salt water, when 25 years is already considered by many as a cut-off date.

On termination of their original projects we are now seeing many of the older ships as surplus to requirements. Sometimes the project wishes to continue but only with new ships. So the older ships are laid-off. In the past this would have been their death knell but today this is not necessarily the case. The slow development of a spot market has allowed the shipowner to consider life extension programmes of considerable cost; all this set against the value of a very expensive newbuilding. Today life extension programmes are common with old ships making handsome profits in the spot market.

SIGTTO

Valuable assistance in the preparation of these articles has come from the Society of International Gas Tanker and Terminal Operators (SIGTTO).

SIGTTO is the leading trade body in this field and has over 120 members covering nearly 95% of the world's LNG fleet and 60% of the LPG fleet. SIGTTO members also control most of the terminals that handle these products.

The Society's stated aim is to encourage the safe and responsible operation of liquefied gas tankers and marine terminals handling liquefied gas; to develop advice and guidance for best industry practice among its members and to promote criteria for best practice to all who have responsibilities for, or an interest in, the continuing safety of gas tankers and terminals.

The Society operates from its London office at 17 St. Helens Place EC3. Further details on activities and membership is available at www.sigtto.org

References

Liquefied Gas Handling Principles on Ships and in Terminals – SIGTTO

Safe Havens for Disabled Gas Carriers – 2003, SIGTTO

Mooring Equipment Guidelines – 2001, OCIMF Ship-to-Ship Transfer Guide (Liquefied Gases) – 1995, SIGTTO

The International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, (IGC Code) – IMO

A Contingency Planning and Crew Response Guide for Gas Carrier Damage at Sea and in Port Approaches – 1999, SIGTTO

The aforementioned publications are available from Witherby & Company Ltd, London.







From:

Sent:

26 Feb 2019 16:22:24 +0000

To:

Yarrington, Michael (MARAD)

Cc:

Balzano, Richard (MARAD)

Subject:

RE: LNG insurance questions

Mike,

This is excellent. Just what we needed to answer the insurance questsions. Dick, The UK P&I Club brochure is excellent.

Regards,

Doug

From: Yarrington, Michael (MARAD)

Sent: Tuesday, February 26, 2019 11:15 AM

To: Burnett, Douglas (MARAD) <Douglas.Burnett@dot.gov> **Cc:** Balzano, Richard (MARAD) <Richard.Balzano@dot.gov>

Subject: RE: LNG insurance questions

Doug,

I just confirmed the following on LNG carriers and LNG propulsion vessels with JLT, NY. Please note that JLT places coverages for 40% of the world 's LNG carriers. I also confirmed the same with a major marine underwriter AXA/XL. AXA/XL is also MARAD's marine insurance agent for War Risk Insurance. In addition, they lead the marine underwriting for the two new Crowley's LNG propulsion vessels built under MARAD's Title XI program.

LNG has been transported commercially since 1964. LNG markets stagnated in 1970-1980 and had a rebirth in the late 1990's. LNG carriers and also LNG propulsion is ever expanding today. The new factor is the updated and modern LNG propulsion systems. LNG carriers and LNG propulsion are high value vessels.

Q: For a US flag LNG ship, are there any special coverages or additional premiums needed to carry LNG or LPG in terms of hull and P&I insurance?

A: They are treated like other vessels. No additional premiums, terms, or BMP. Note: The classification societies certification outline any specific requirements. No class, no coverage.

- H&M is coverage by marine underwriters the same way as other vessels.
- P&I Clubs, aka mutual assurance associations cover 90% of the world tonnages. This
 includes LNG carriers and LNG propulsions.

Special note: H&M premiums are predominately value based rates. LNG premium levels are inherently greater because of the high value of vessel. This is the same for any high value vessel. However, the higher premiums also get the best rate discounts by underwriters.

Q: If so, can you provide basic information on the additional coverages and additional premiums. If you need a vessel size, assume 125,000 cu meters of LNG.



A: none

Q: Do all of the international group of P&I clubs provide this coverage in general?

A: Yes: indirectly, the International Club is the mutual assurance association of the 13 Clubs. This is a complex mutual assurance of the clubs via a reinsurance mechanism. If you are curious, attached is schematic.

Q: Does the American Club provide this coverage?

A: Yes, I understand that they offer the same coverage as all 13 clubs. However, they may not have any LNG carriers entered in their Club.

Q: Are there any website links from the American Club or other P&I Club that describe its LNG insurance program.

A:

https://www.ukpandi.com/fileadmin/uploads/ukpi/LP%20Documents/Carefully to Carry/Gas%20matters.pdf also attached.

International Club https://www.igpandi.org/

The American Club - https://www.american-club.com/

H&M underwriters and P&I Clubs have had a long history with LNG carriers – see attached, which notes that there are over 1,500 gas carriers in the world.

Regards,

Michael L. Yarrington, Director (MAR-770)
Tel: 202-366-1915 w / (b)(6) c
michael.varrington@dot.gov

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NATO UNCLASSIFIED

From: Burnett, Douglas (MARAD)

Sent: Tuesday, February 26, 2019 8:57 AM

To: Yarrington, Michael (MARAD) < Michael. Yarrington@dot.gov>

Cc: Balzano, Richard (MARAD) < Richard. Balzano@dot.gov>

Subject: LNG insurance questions

Importance: High

Mike,

(b)(5) Deliberative Process Privilege

and we need to answer

insurance questions



For a US flag LNG ship, are there any special coverages or additional premiums needed to carry LNG or LPG in terms of hull and P&I insurance?

If so, can you provide basic information on the additional coverages and additional premiums. If you need a vessel size, assume 125,000 cu meters of LNG.

Do all of the international group of P&I clubs provide this coverage in general?

Does the American Club provide this coverage?

Are there any website links from the American Club or other P&I Club that describe its LNG insurance program.

If you can provide this information by 1300 today it will be appreciated.

Regards,

Doug

Chief Counsel
Maritime Administration
U.S. Department of Transportation
202-366-0709
RM W24-310
1200 New Jerey Ave SE
Washington DC 20590



From: The Maritime Executive Newsletter Sent: 27 Mar 2019 05:59:46 +0000

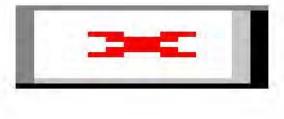
To: Balzano, Richard (MARAD)

Subject: Spill Closes Houston Ship Channel, Inmarsat Accepts \$3.4B Takeover

Offer

Inmarsat Accepts \$3.4 Billion Takeover Offer Spill from Tank Farm Fire Closes Houston Ship Channel U.S. Coast Guard Joins Freedom of Navigation Patrol in Taiwan Strait Email not displaying correctly?

View it in your browser

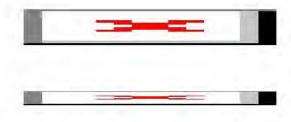






Spill from Tank Farm Fire Closes Houston Ship Channel

On Monday, the U.S. Coast Guard said that about five dozen ships will have to wait to transit the Houston Ship Channel while efforts to clean up waste from the International Terminals tank fire continue. The ...



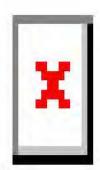




Inmarsat Accepts \$3.4 Billion Takeover Offer

Satellite communications company Inmarsat has recommended shareholders accept a \$3.4 billion takeover offer from the newly formed Triton Bidco consortium. Triton Bidco includes Apax, Warb...

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U.S. Coast Guard Joins Freedom of Navigation Patrol in Taiwan Strait

Last weekend, the U.S. Coast Guard cutter Bertholf joined the U.S. Navy destroyer Curtis Wilbur for a transit of the Strait of Formosa, part of the Navy's long-running freedom...

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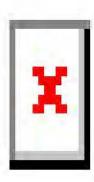


Harvey Gulf Flags Out Two More American OSVs

In a sign of the shifting global OSV market, U.S. offshore operator Harvey Gulf is taking some of its laid-up American vessels and reflagging them for work in Mexico.

American-made ...

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U.S. Navy Gains Access to Strategic Omani Seaport

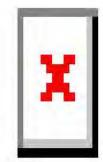
The United States and the government of Oman have signed a deal that will allow American warships to call at a strategic Omani port just a few hundred miles from the Strait of Hormuz. ...





First Glimpse Beneath an Ultraslow-Spreading Mid-Ocean Ridge

[By Nancy Bazilchuk] For the first time ever, researchers have been able to peek deep into the mantle of the Earth under an ultraslow mid-ocean ridge, where they have b...



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Watch: MHI Demonstrates Autonomous Fire-Fighting Robots

Mitsubishi Heavy Industries has developed two firefighting robots: the "Water Cannon Robot" and the "Hose Extension Robot." As a team they are designed for situations too hazard...

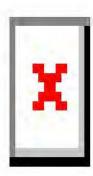




Examining Ship Engine Failures on Stormy Seas

When the Viking Sky encountered difficulty and an engine shut down in the storm off the Norwegian coast on Saturday, the freight ship that sailed to its assistance through identical wave c...







Shell Ships First Condensate from Prelude FLNG

Shell shipped the first condensate cargo from its Prelude floating liquefied natural gas (FLNG) project off Broome in Western Australia on Saturday. The 116,000dwt tanker Adv...

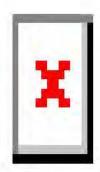




CMA CGM Orders Ten New Container Ships from China

CMA CGM has ordered 10 15,000-TEU container ships, five fueled by LNG and five with scrubbers, from China State Shipbuilding Corporation (CSSC). The 366-meter (1,200-foot) ships will be d...

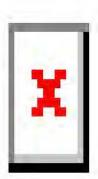
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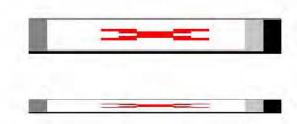




Endangered Iguanas Found Captive in Cruise Ship Cabin

A man is facing charges after he allegedly attempted to smuggle two endangered iguanas into Australia on board a cruise ship. The Australian Border Force (ABF) was notified by the vessel&...







- DMT Marine Equipment Appoints Sales Partner in the U.S.
- Latest Speakers Announced for Mid-Atlantic Ship Repair & Supply Summit
- New Director/Chief Executive Officer for GAC Sri Lanka
- Closing of MacGregor's TTS Acquisition Postponed to Q2 2019
- Conley Growth Sees the Addition of Laura Martin
- Artemis Technologies Led Project in Multi-Million Pounds Funding Bid
- VMS Group Offers Independent Test Facilities in Denmark
- Richly Illustrated Book on Arctic Published in Denmark
- Conrad Shipyard Delivers ATB for Vane Brothers
- · CHIRP Maritime Releases Annual Digest
- Damen Shipyards Den Helder Signs Order for Expeditionary Survey Boat
- KVH Videotel Expands Team with European Sales Manager Appointment
- Hempel Rolls Out New Water-Repellent Topcoat

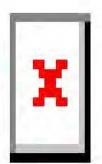
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From: Tony Padilla

Sent: 7 Mar 2018 10:18:29 -0500
To: Balzano, Richard (MARAD)
Subject: Thank You and Materials

Attachments: CV_Tony Padilla_MARAD.pdf, Professional

References_Padilla_MARAD.pdf, MEMO_Padilla Maritime Briefing to US China Commission_2-14-2018.pdf, BRI Overview_Padilla.pdf

Personal For the Deputy Administrator

Good morning, Sir.

Thank you for meeting with me. Again, I want to express my sincere appreciation for your support. I'm hoping that, through your efforts, and with the support of the MA, that we can work out an arrangement that would place me into a position that would allow me to continue my work on China maritime trade warfare issues...a topic I've put a lot of effort into during my almost 6-year tenure here while getting the message out externally about MARAD's equities.

Tony Fisher has been kind enough to sit down and brainstorm some options as well. I believe the places where I could best apply my skills, while benefiting the agency in a big way, would ideally be as a MARAD advocate at the White House (either NEC/NSC/other), Pentagon, NIC, ONI, State Department, or the US-China Economic and Security Review Commission. Perhaps Alex Gray, Kevin Harrington, William Cahill, or others have plenty of work that I could help absorb in a supporting role, either as a detail or as a volunteer. Respectfully, the only thing I ask is if you (or Tony) would be willing to make a few calls this week to your contacts there. I have contacts at these places as well, and would be happy to provide you with their information. If those contacts were aware of your support, then they would likely figure-out a creative solution.

In addition, I have attached herein my CV, a list of professional references, a writing sample, and a PowerPoint that I created on my own time in my personal capacity. There are other papers written for the NSC, an article in the Journal of Commerce, and more that I could share, but this should be enough for now.

The meeting with CNO staff yesterday went well, and I hope you enjoyed my India trip report that my boss may have sent up. It includes some info that presents a possible Ro/Ro opportunity for MARAD, which would align well with the National Security Strategy's focus on the Indo-Pacific.

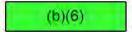
I have not asked for much in return over the years, and feel that I have provided immense value to my office, the agency, the Department, and the inter-agency at-large. At the same time, I realize that we have not had a lot of face-time. If there are any doubts or misperceptions about my suitability or worthiness for such an assignment, then I hope we can clear that up soonest. Other selected senior officials within MARAD I have no doubt



would support this effort and may have more to add. Happy to come in and chat with you again, as desired.

Very respectfully,

Tony

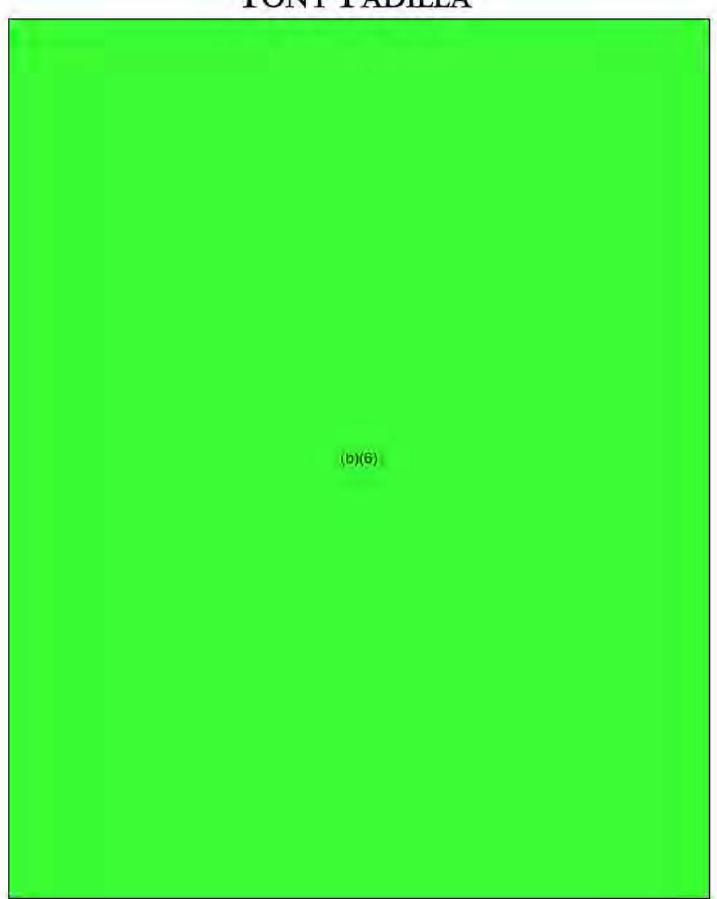


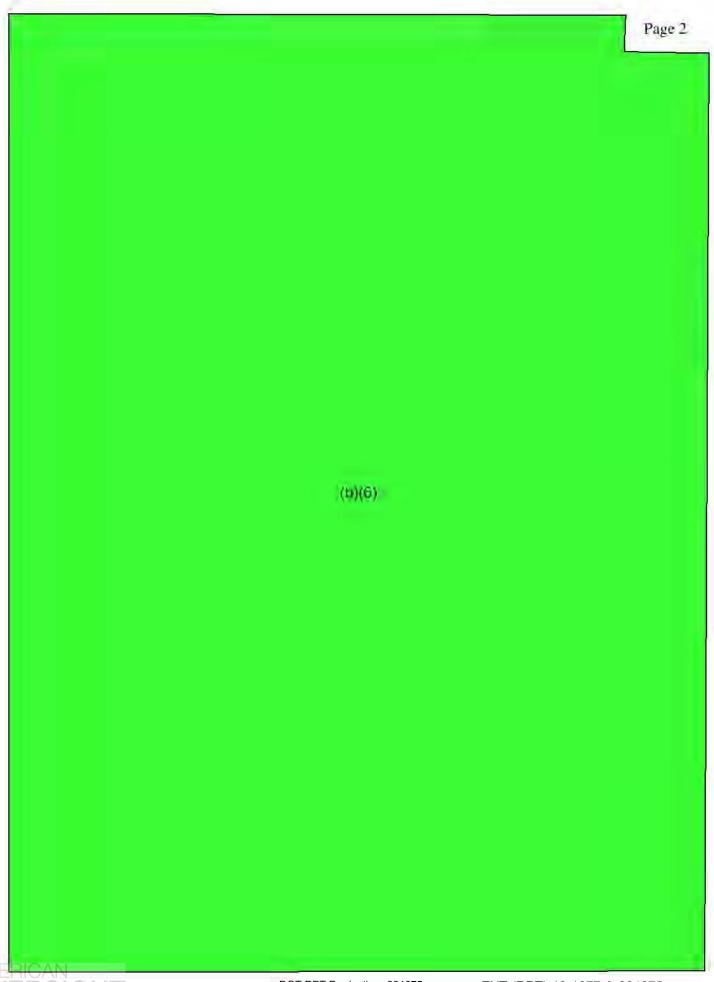
P.S. With the exception of the resume and references, the documents attached have been cleared by MARAD. However, I would appreciate keeping this email and the docs for your eyes only (+MA as needed).

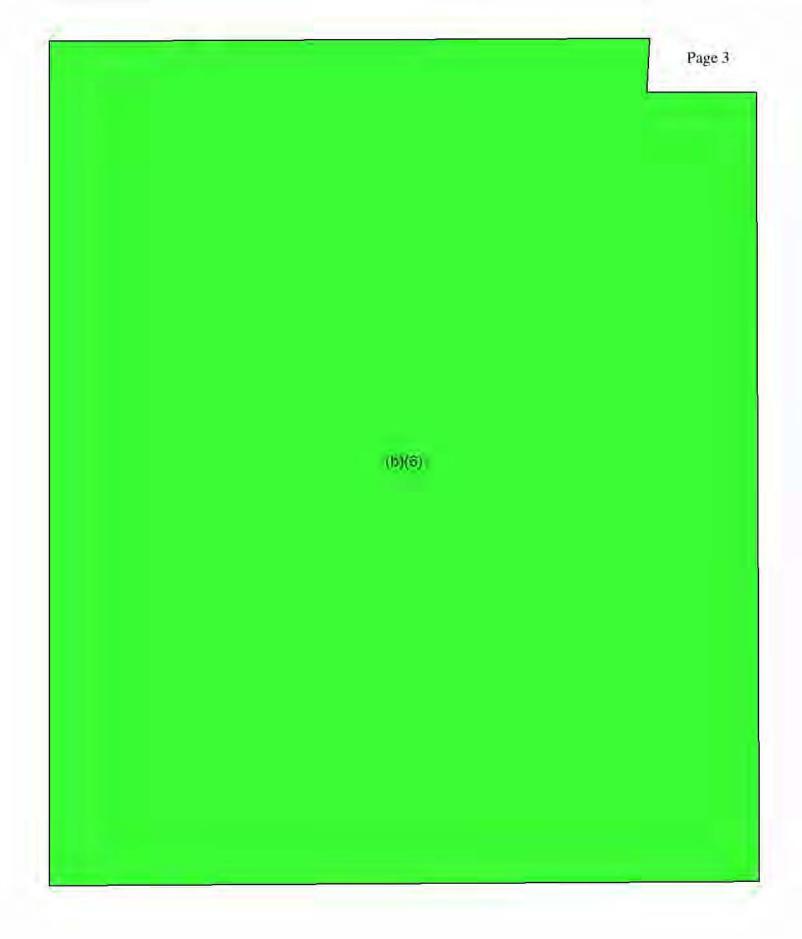
Personal For the Deputy Administrator



TONY PADILLA



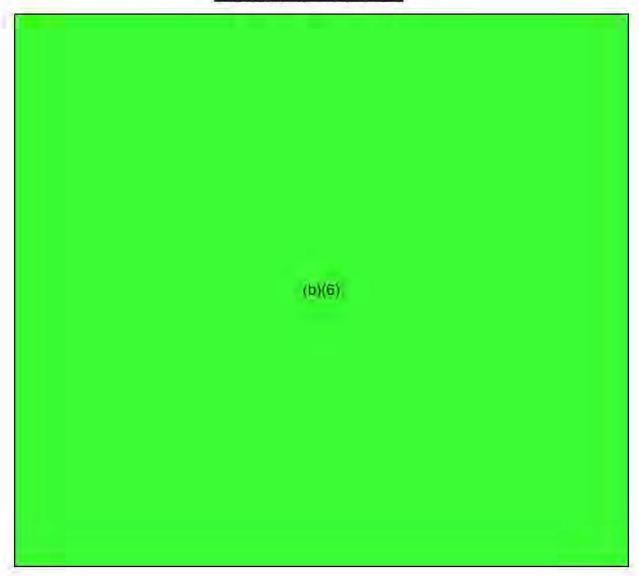






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Professional References





MEMORANDUM FOR THE US-CHINA ECONOMIC AND SECURITY REVIEW **COMMISSION**

China's Belt and Road Initiative: Maritime Perspectives of its Political, Economic, and Security Dimensions

By Tony Padilla, U.S. Maritime Administration

BACKGROUND

Belt and Road Overview

In 2013, President Xi Jinping launched the Belt and Road Initiative (BRI) – the centerpiece of China's grand strategy for the 21st Century – and the most impactful macro-economic undertaking in the world, for at least the next ten years. This multi-decade strategy aims to create numerous physical and virtual trade connections on the Eurasian and African continents and along the maritime periphery of the Indo-Pacific Ocean (see Figure 1). To date, there are over 2,000 infrastructure projects planned or underway, of which approximately 450 are seaport related. With a target completion date of 2049, the main drivers of BRI are to (1) export excess industrial capacity; (2) diversify, secure, and re-route its energy imports; and (3) create new markets for Chinese products. Geographically, BRI's footprint encompasses nearly three-fourths of the world's landmass, extending from the Pacific to the heart of Europe via Central Asia, and down to nearly the southern tip of Africa. It accounts for almost two-thirds of the world's population, and nearly all the world's Muslim countries. Politically, it forges bilateral agreements with developing countries, many in need of poverty alleviation. Economically, BRI accounts for about 50 percent of global GDP, and is expected to stimulate greater than \$7 trillion in investment in the coming years. It also accounts for 70 percent of global energy reserves, sourced mostly from the Middle East and Africa.



Source: Mercator Institute for China Studies (MERICS), Berlin, Germany.



BRI has support from Secretary-General Guterres of the United Nations; Managing Director Lagarde of the International Monetary Fund; President Kim of the World Bank; Interpol; Asia Infrastructure Investment Bank founding members, such as the United Kingdom, Germany, France, Australia, South Korea, Singapore; and at least 51 other nations to varying degrees. In addition, China is cementing bilateral ties with political elites in strategically-located developing countries, such as Sri Lanka, Myanmar, Malaysia, the Maldives, Pakistan, Tanzania, Mozambique, Kenya, and Djibouti – places near key trade routes where there is a relative dearth of U.S. commercial presence.

Questions to be Explored:

- 1. What are the economic implications of BRI for the United States? What U.S. companies are currently involved in BRI projects, and what is the status of these projects? Do U.S. companies face a fair playing field in competing for BRI projects? What opportunities and risks do U.S. companies face?
- 2. How has BRI extended China's diplomatic reach and soft power? To what extent does China's growing influence affect or displace the U.S. role in countries hosting BRI projects?
- 3. In terms of national security, what does China stand to gain from BRI, and what risks does BRI present to China's national security?
- 4. What are the practical implications of BRI for U.S. defense stakeholders? For example, how could BRI impact the requirements and missions of the U.S. Navy and U.S. Pacific Command?
- 5. What opportunities and costs does BRI present for U.S. military interests?

Introductory Statement

- Commissioner Tobin, Commissioner Talent, members of staff, it is a pleasure to be with you today to discuss China's Belt and Road Initiative.
- I would like to take this opportunity to mention MARAD's mission. MARAD, an agency of the US Department of Transportation, promotes the use of waterborne transportation and commerce and its integration with other segments of the transportation system; promotes the viability and health of the US-flag Merchant Marine; provides surge sealift during times of war and national emergencies; and oversees the U.S. Merchant Marine Academy in Kings Point, N.Y. MARAD's international office is required to keep abreast of foreign economic and political developments that may affect U.S. maritime transport interests.
- One of those developments is unfolding across the Eurasian landmass and around its maritime periphery, with regional powers ramping up their infrastructure spending. Over the course of the next four years, Asian countries will need \$1.7 trillion¹ annually to build the transport, energy, and communications networks required to achieve their development goals. Yet, today's development banks meet less than 10 percent of that need.²

¹ Asia Infrastructure Needs Exceed \$1.7 Trillion Per Year, Double Previous Estimates, ASIAN DEVELOPMENT BANK, (Feb. 28, 2017), available at https://www.adb.org/news/asia-infrastructure-needs-exceed-17-trillion-year-double-previous-estimates.

² Gal Luft, It Takes a Road: China's One Belt One Road Initiative: An American Response to the New Silk Road, Institute for the Analysis of Global Security (Nov. 2016), available at http://www.iags.org/Luft_BRI.pdf.



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- Under the auspices of its Belt and Road Initiative, China has stepped-in to help fill this infrastructure gap. While transport connectivity could deepen integration and expand prosperity, it has the potential to reconfigure relationships, reroute flows of goods and people, and shift power within and between states in ways never seen before.³
- Although called an initiative, Belt and Road is considered by some as a strategy to dominate world trade. Since 90 percent of world trade (by tonnage) is transported by ocean, China has set its sights on dominating the global shipping industry and industry inextricably linked to global supply chains and the prosperity of nations. As a former career naval officer with extensive operational experience in the PACOM theater, I believe our maritime industry both commercial and naval face daunting challenges currently and in the years ahead. I commend the Commission for taking a comprehensive look at the implications of Belt & Road the most impactful macro-economic undertaking in the world, for at least the next 10 years.
- I look forward to your questions.
- 1. What are the economic implications of BRI for the United States? What U.S. companies are currently involved in BRI projects, and what is the status of these projects? Do U.S. companies face a fair playing field in competing for BRI projects? What opportunities and risks do U.S. companies face?

Access to and the creation of economic value in the form of raw materials, intermediate goods, and finished goods is generally useless unless it can move or "flow" to consumers. That said, the flow of economic value, or "cargo" as it's called in the transport industry, through supply chains is inextricably linked to maritime transportation. For the United States, the maritime sector facilitates approximately 90 percent (by tonnage) of this internationally trading cargo, benefitting a plethora of stakeholders across all sectors of the U.S. economy. One of those sectors is manufacturing, which accounted for nearly 12 percent of U.S. GDP in 2016.⁴

Setting aside speculations and ongoing debates about China's *strategic intent*, evidence drawn from massive investments in the global transportation ecosystem suggest that China is increasing its *strategic capability* to influence, and some within government would argue, control, the direction and speed of global supply chains that rely on land and maritime conveyance systems. How China can make these investments is well known, but BRI's key implications for the US economy relates to, in large part, the US' ability to maintain reliable and cost competitive cross-border trade volumes necessary to meet the needs of stakeholders across their entire supply chain. "Reliable" refers to the consistent flow of cargo, while "cost competitive" refers to cargo velocity and measures taken to minimize delays and increase productivity.

Yet, disruptions in US international supply chains could have serious negative impacts to the national economy, jobs, and its long-term economic competitiveness. A case in point is the temporary, yet pronounced US west coast port slowdown in late 2014/early 2015, which reduced U.S. fourth-quarter GDP by 1 percent, and during which exports alone amounted to an unprecedented annualized decline of more than 18 percent.⁵ The network effects of this single, self-inflicted event rippled through the U.S.

⁵ Eric Kulisch, *Economist says West Coast port disruption dinged 4Q GDP*, American Shipper, (February 24, 2015), *available* at https://www.americanshipper.com/main/news/economist-says-west-coast-port-disruption-dinged-4-59550.aspx.



3

³ Matthew P. Goodman & Johnathan E. Hillman, *Global Economics Monthly: Asia's Next Act: Infrastructure Reshapes the Region*, Center for Strategic and International Studies (Oct. 24, 2016), *available at* https://www.csis.org/analysis/global-economics-monthly-asias-next-act-infrastructure-reshapes-region.

⁴ U.S. Bureau of Economic Analysis, Department of Commerce.

economy. Apple farmers lost \$19 million during each week of the slowdown. The North American Meat Institute estimates loses in the range of \$40 million each week.⁶ The price of shipping a 40-foot container from China to the United States jumped 50 percent in a single day. Overall, according to a global management and consulting firm, the supply bottleneck cost U.S. retailers approximately \$7 billion.⁷

As our Administrator has astutely noted, "Cargo is king," and China appears to be deploying all elements of its national power to quietly influence the flows of cargo through global supply chains, many on which the US depends for its economic welfare. In fact, China is investing in all segments of the global logistics environment – from energy infrastructure, manufacturing, warehousing, trucking, railways, seaports, airports, pipelines, and marine carriers – and they're doing so within the BRI region – home to 4.8 billion people that generate 62% of the world's GDP. The geographic overlap between BRI territories and logistics investments is stark, with 25 of the 36 deals announced since 2014 falling within its nearly 70 partner countries. Total announced acquisitions announced in the first 11 months of 2017 more than doubled to \$32 billion, up from \$13 billion in 2016. The biggest logistics deal in 2017 involved the \$12 billion purchase of Logicor, a European logistics company with warehouses in 17 countries, by Chinese sovereign wealth fund China Investment Corporation. In the ports arena alone, China has invested \$20 billion across nine deals in just the first half of 2017. Now, nearly 70% of the global container traffic, up from 19% in 2001, flows through Chinese-owned or Chinese-invested ports.

Some within the federal government have concluded that China can now control key ports outside its borders. Given China's BRI strategy, its Made in China 2025 plan, its impressive diplomatic engagement across the globe, and the deployment of other state-backed policies, China's ability to influence global trade flows is unlikely to decelerate. Under these circumstances, it begs the question: What if a supply bottleneck occurred not in our own backyard, but at an overseas port where the flow of critical commodities needed for our industrial base were delayed or blocked? This question is especially important for imports. Compared to exports, which have an average total value of \$697 per metric tonne, US imports have an average total value of \$4,630 per tonne. Many of these imports are finished goods or serve as inputs to US manufacturing.

Despite these challenges, and given that 95% of the global population lives outside U.S. borders — with two-thirds residing in Asia — BRI provides economic opportunities (and risks) for U.S. companies. The 10 markets expected to see the greatest investment activity within the BRI region are Bangladesh, Egypt, Kazakhstan, Kenya, Laos, Pakistan, Russia, Sri Lanka, Thailand, and Hong Kong. ¹⁵ In terms of identifying which US companies are involved in BRI projects is challenging since there is no central database yet that identifies which companies have submitted bids. However, using a time-consuming, piece-meal approach from several sources has yielded the following sample of US companies involved in BRI projects: AECOM, Caterpillar, Citibank, Conti, Dow Chemical, GE, Honeywell, and ITT. There are indications that Bechtel, Fluor, and Kiewit may also be involved. Others, such as Jacobs and CH2M, are reportedly watching from the sidelines. For those US companies who have won BRI-related or Chinesemarket related tenders, it appears difficult for federal officials to quickly identify which stage the projects are in (i.e., announced, under negotiation, preparatory works, started, under construction, completed,

¹⁵ 10 Hotspot Countries, Business Monitor International.



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⁶ Andrew Soergel, *Economy Still Reeling from West Coast Slowdown*, U.S. News, (February 23, 2016), available at https://www.usnews.com/news/articles/2016-02-23/a-year-later-west-coast-labor-disputes-cost-still-unresolved. ⁷ Ibid.

⁸ Research by the Financial Times.

⁹ Research by Grisons Peak, a London-based investment bank.

¹⁰ Research by the Financial Times.

¹¹ Ibid.

¹² Top US imports from China include machinery equipment, non-ferrous metal products, cement, and chemical products.

¹³ Top US exports to China include oilseeds (soybeans, flaxseeds, and other), pulp, and waste paper.

¹⁴ Calculations based on data provided by the US Army Corps of Engineers Data Center.

cancelled) and whether there are anti-competitive practices occurring. For the most part, federal authorities must rely on anecdotal reports from US business representatives and other western firms. A sample of these reports from the last 18-months include the following:

- 1. "...many U.S. businesses privately conveyed pessimism that there would be no reciprocity when it comes to China allowing U.S. companies to play a more prominent role [in BRI]..."
- 2. "China's industrial policies clearly favor local companies and state-owned enterprises over foreign firms."
- 3. "the Chinese government is deliberately making it more difficult for U.S. and other foreign firms to compete effectively against domestic and state-owned competitors."
- 4. "A new foreign worker regime, restrictions on foreign participation in government projects and procurement, relatively easy credit for local competitors, and an ongoing clampdown on the internet, all are persistent challenges for US companies in Southwest China."
- 5. "U.S. companies...face an increasingly competitive market and decreasing profit margins due to surging domestic competition, increased labor costs, and tightening government regulations..."
 - 6. "US firms lamented the inability to expand market share or compete in a level playing field..."
 - 7. "unequal access is biggest complaint..."
- 8. "European companies face far more investment restrictions in China than Chinese companies in Europe, describing Chinese companies' access like a multi-lane highway but European access to China's market is a narrow, wind[ing] road."
 - 9. "Give us a fair chance to compete and level the playing field,' she pleaded."
 - 10. "U.S. firms in China remain profitable, but were frustrated over their inability to fairly and fully compete in China's markets due to licensing requirements, market restrictions, and draft information and communication technology legislation."

Coupled with the above reports, consideration may also be given to:

- (a) China's latest next generation industrial policy, Made in China 2025, which targets 10 priority advanced technology industries (industry number four on the list is *Maritime Equipment and High-Tech Shipping*) for policy support, including subsidies, preferential financing, and government procurement; and
 - (b) its economic diplomacy campaign with developing nations.
- 2. How has BRI extended China's diplomatic reach and soft power? To what extent does China's growing influence affect or displace the U.S. role in countries hosting BRI projects?

BRI serves as a powerful mechanism of "give-and-take," providing financial, legal, educational, and other administrative support in exchange for preferential treatment related to infrastructure projects (a bottom-up approach), as well as political concessions (a top-down approach). When combined, this dual tactic places overwhelming pressure on nations in financial need. For example, when Germany treated Greece as the Eurozone's delinquent, China designated recovery-hungry Greece it's "most reliable friend," bought toxic Greek government bonds, spent freely on Greek assets, hired 1,500 Greek dockworkers (via COSCO), and singed new investment agreements with Greek officials, including a 67% stake in the Port of Piraeus (serving as the "Dragon's Head" of BRI), and has spent billions of dollars to turn an abandoned airport into a tourist destination three times the size of Monaco. In exchange, Greece helped stop the EU from issuing a unified statement against Chinese aggression in the South China Sea, prevented the EU from condemning China's human rights record, and opposed tougher screening (akin to



CIFIUS) of Chinese investments in Europe. ¹⁶ In another example, Panama's government signed an agreement on maritime transport in 2017, established formal diplomatic ties with China, and severed all diplomatic ties with Taiwan. In exchange, China will boost its ship traffic, both cargo and passenger ships, in Panama and be more involved in port development projects there. Several other cases resembling these "give and take" arrangements include the Port of Hambantota in Sri Lanka, the Port of Gwadar in Pakistan, Myanmar energy projects, the Bogamoyo Port and Special Economic Zone Project in Tanzania, ¹⁷ and several projects in the Maldives – a new-colonial outpost providing China a foothold in the Indian Ocean and serving as a key maritime transshipment hub to and from the East African coastline.

To promote BRI, China is leveraging international organizations and forums in which it plays a dominant role, such as the Shanghai Cooperation Organization, ASEAN 10+1, the 16+1 Group, Asia Pacific Economic Cooperation, and the China-Arab State Cooperation Forum. In mid-2017, President Xi added more enticements by announcing increased financial commitments from its policy banks; aligning BRI to development strategies of the Russia-led Eurasian Economic Union, Turkey, the United Kingdom, and Poland; and signing a strategic cooperation deal with Interpol. Furthermore, BRI has support from Secretary-General Guterres of the United Nations; Managing Director Lagarde of the International Monetary Fund; President Kim of the World Bank; and Asia Infrastructure Investment Bank founding members, such as the United Kingdom, Germany, France Australia, South Korea, Singapore; and at least 51 other nations to varying degrees. Moreover, China is cementing bilateral ties with political elites in strategically-located developing countries, such as Sri Lanka, Myanmar, Malaysia, the Maldives, Pakistan, Tanzania, Mozambique, Kenya, and Djibouti – places near key maritime trade routes where there is a relative dearth of U.S. commercial presence.

China's financial echelons have been fully mobilized. In the first 10 months of 2015, China's BRIrelated investment flow rose 36.7 percent to \$13.7 billion, according to China's Ministry of Commerce. 18 The strategy is supported by initial deposits of \$100 billion from the Asian Infrastructure Investment Bank (AIIB)—headquartered in Beijing and intended as BRI's main financial engine. This equates to approximately two-thirds of the Asian Development Bank's capital and half that of the World Bank. Going forward, the AIIB plans to invest \$10 billion for BRI-related projects in 2018 and an additional \$100 billion is expected to be added to the AIIB over the coming decade. 19 BRI is also supported by \$40 billion from the Silk Road Fund—a special state-investment limited liability company with contributions from the State Administration of Foreign Exchange, China Export Import Bank, China Investment Third, \$100 billion is allocated from the New Corporation, and China Development Bank.²⁰ Development Bank, formerly known as the BRICS Bank.²¹ So far, the total amount of investment in more than 900 projects, estimated by the China Development Bank, amounts to \$890 billion, 22 although this does not account for many of the co-financing arrangements with other multilateral development banks and bilateral agreements. State-owned Engineering, Procurement and Construction (EPC) firms have taken on most of the projects. The hope is that loans provided to developing countries can then be used to hire Chinese state-owned EPC companies for major infrastructure projects. Additionally, most projects are located outside of China and are included in China's 5-Year Plan. This allows Chinese policy banks

²² James Kynge, 'One Belt, One Road' set to turbocharge renminbi usage, Financial Times, (Nov. 29, 2015), available at http://yaleglobal.yale.edu/content/china-and-us-two-visions-one-collaboration.



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¹⁶ Chastised by E.U., a Resentful Greece Embraces China's Cash and Interests, The New York Times, Aug 26, 2017.

¹⁷ The \$10 billion Bogamoyo Port is expected to be East Africa's leading shipping and logistics center, supplementing the Tanzanian ports of Dar es Salaam and Mtwara.

¹⁸ Ibid.

¹⁹ James Kynge, *How the Silk Road plans will be financed*, Financial Times (May 9, 2016), *available at* https://www.ft.com/content/e83ced94-0bd8-11e6-9456-444ab5211a2f.

²⁰ The Silk Road Fund Co., Ltd., available at http://www.silkroadfund.com.cn/enweb/23773/index.html.

²¹ Marc Grossman, *China and the US: Two Visions, One Collaboration?*, Yale Global Online (Nov. 15, 2016), *available at* http://yaleglobal.yale.edu/content/china-and-us-two-visions-one-collaboration.

to finance them, and it incentivizes new countries to issue Renminbi bonds to pay for them, thereby boosting the international role of China's capital markets and currency.²³

In terms of how all of these efforts are coordinated, reports indicate that there may be what some are calling a "magic weapon" behind the scenes facilitating much of this effort. It's called the United Front Work Department of the Chinese Communist Party – the headquarters for China's push for global soft power. Located in Beijing, the United Front is organized across nine bureaus, is reportedly "directed from the pinnacle of Chinese power to charm, co-opt or attack well-defined groups and individuals. Its broad aims are to win support for China's political agenda, accumulate influence overseas and gather key information."²⁴

Overall, China's largesse under BRI serves as a compelling mechanism for developing nations to cede a suite of benefits to China. Some China watchers argue that, China may monopolize not just the construction and engineering landscape in the BRI region, but development across the entire Diplomatic, Informational, Military, and Economic (DIME) in every country where its priority interests lie. This could gradually integrate host-nation societies with Chinese socialist thought and business practices, thereby challenging the western liberal order, including western institutions and the global influence of the US. Chinese diplomatic dominance in countries lying along the maritime periphery of the Indo-Pacific will likely impact the U.S. economy and security interests to the extent the US relies on these emerging markets for exports and for imports of key materials. Noting the following dictum...

"Whoever controls the Indian Ocean will dominate Asia. The ocean is the key to the seven seas in the twenty-first century; the destiny of the world will be decided in these waters."

It's time, more than ever, that we heed this warning and shore-up our maritime sector — militarily and commercially. That would include priority areas, such as:

- (1) increasing international cargo opportunities;
- (2) adding more US-flagged vessels (especially training ships);
- (3) providing more support to our shipyards (including both Class I and graving dock yards); and
- (4) developing a larger pool of qualified mariners to support those vessels.

But the above four objectives can't be done without partnering with both U.S. industry – the shippers, ports, shipyards, carriers, etc. – and foreign commercial and defense partners in the BRI region. As mentioned before, Cargo is king. Supply chains chase cargo, and cargo chases markets. The emerging markets in Asia are where we might set our sights on to increase market share for US exporters, cargo opportunities for US-flag vessels, US jobs, and securing imports of strategic commodities safeguarded by a robust and nimble naval forces. Although a separate topic, the ailments of the US commercial maritime industry warrant close attention by lawmakers. Within this context, I would even go so far as say that we have a silent emergency on our hands.

3. In terms of national security, what does China stand to gain from BRI, and what risks does BRI present to China's national security?

National security is a broad term that includes several sub-sets of security, including economic security, military security, energy security, food security, and even social stability. Before touching on a few of these, it's important to understand the primary motivating factors driving the BRI. With a target completion date of 2049, the main drivers are to (1) export excess industrial capacity (steel, cement,

²⁴ Financial Times investigation into United Front operations in several countries.



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²³ Chas Freeman, *The Maritime Dimension*, *supra* note 4.

gypsum, etc.); (2) diversify, secure, and re-route its energy imports; and (3) create new markets overseas for Chinese products. Numbers 1 and 3 support economic and social stability, while number 2 supports energy security. With respect to number 2 – energy security – it's important to note that China is the world's most energy thirsty country, absorbing nearly 80% of the 17 million barrels of oil per day discharged from the Arabian Gulf.²⁵ Globally, energy usage is set to rise by 50% from 2006 to 2030, mostly in China, India, emerging markets, and the Middle East.²⁶ China and India account for around 60% of the global increase in oil demand over the next 20 years.²⁷ By 2035, China is set to import around 3/4ths of the oil it consumes, and India, almost 90%.²⁸

Historically, China's demand for oil has had to transit from the Strait of Hormuz through the Malacca Strait then up to China's eastern coastline. The Malacca Strait represent a single point of failure due to geographical restrictions as well as a sense of energy *insecurity* due to the large presence of U.S. and allied naval forces in the Malacca Strait region. Should the U.S. decide to impose a blockage near the South China Sea, China's economy would be negatively impacted. For these reasons, China is not only diversifying its suppliers of petroleum products, its diversifying its transit routes. This is where BRI comes in. Two of the six transport corridors – one artery in Pakistan called the China Pakistan Economic Corridor (CPEC) and another in and around Burma called the Bangladesh China India Myanmar Economic Corridor (BCIMEC) – will primarily serve as alternate routes to deliver this oil to the Chinese mainland. From a maritime perspective, it's no accident that much of China's investments have gone into the ports of Gwadar in Pakistan, Hambantota and Colombo in Sri Lanka, Chittagong in Bangladesh, and LNG terminals and pipelines in Southern Myanmar – all serving as strategic energy nodes for China. Other key ports lying outside of these regions that support CPEC and BCIMEC for the conveyance of minerals and other commodities include those in East Africa, and those along the eastern and western coasts of Malaysia.

Along similar lines, it's worth noting that China is diversifying its energy *mix* and has been accelerating the implementation of natural gas-fired power plants. In addition to Japan and South Korea, China demands huge amounts of liquid natural gas and plans to increase its share of LNG carriers in the shipbuilding market. Currently, 2.1 million cubic feet²⁹ of LNG traverses the Malacca Strait daily – another reason for their desire to build liquification terminals in Myanmar. Meanwhile the dominant global suppliers of LNG by 2020 are expected to be the U.S., Qatar, and Australia. Perhaps this is an area for possible collaboration with the Chinese to help minimize strategic competition between the two nations. Is LNG delivered on US-built vessels, employed by US mariners, along a Japan-Korea-China route possible? What about a US LNG route to India or other import-reliant countries, such as Lithuania and developing nations in the Indo-Pacific?

In terms of risks, some early signs of national security problems surfaced in the early years of BRI (then called One Belt, One Road). With the influx of Chinese investments, laborers, and state-owned enterprises, these investments have not occurred without public dissent. For example, China now has approximately 668 companies in Kazakhstan – an increase of 35% since 2013 – and controls over a quarter of Kazakhstan's oil production and over half of Turkmen gas. In Tajikistan, 58% of foreign direct investment comes from China, and Russian investment has dwindled to 7.4%. In Tajikistan, they have ceded 1% of their land to China in exchange for debt relief. 30 As a result, public distrust, Sino-phobia, and

³⁰ Shawn Snow, *Central Asia's Lukewarm Pivot to China*, The Diplomat, accessed April 18, 2017, http://thediplomat.com/2016/08/central-asias-lukewarm-pivot-to-china/.



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²⁵ U.S. Energy Information Administration.

²⁶ Daniel Yergin, It's Still the One.

²⁷ BP Energy Outlook 2035.

²⁸ Dale Spencer, New economics of Oil.

²⁹ Center for Strategic and International Studies, Asia Maritime Transparency Initiative (AMTI), "18 Maps that Explain Maritime Security in Asia," https://amti.csis.org/atlas/

opposition have been on the rise. For example, protests against proposed land reforms have occurred in Kazakhstan, and in August 2017, a suicide blast occurred in front of the Chinese embassy in Bishkek, Kyrgyzstan.³¹ This backlash against Chinese influence is not unique to Central Asia; similar pushback, in varying degrees of intensity, can be traced to Sri Lanka, Pakistan, and elsewhere.

Given the influx of Chinese investments in infrastructure throughout the BRI region, there are visible signs that some BRI economies are seeking to diversify their economic portfolios. While they realize that greater connectivity through infrastructure leads to economic exchange, trade, increased disposable incomes – and thereby, greater economic growth – they don't want their destiny to be held hostage by one dominant actor. Rather, they want their growth to be sustainable – one that is held to high standards of excellence, whether that be related to technology, technical financial assistance, the environment, health and safety, governance, or otherwise. These realities have opened-up abundant commercial opportunities; albeit, not without stiff competition from China. That said, to maintain and strengthen its geopolitical influence on the world stage, the U.S. could stay engaged abroad, especially in the maritime sector, and in a manner that creates jobs, strengthens the economy, and overall, in service of the American people.

4. What are the practical implications of BRI for U.S. defense stakeholders? For example, how could BRI impact the requirements and missions of the U.S. Navy and U.S. Pacific Command?

The US military, which the Maritime Administration supports with commercial sealift capability, is vulnerable to disruptions in the supply chain. Per the United States Geological Survey, the US is 100 percent import-reliant on 21 key minerals, and 50 percent or more import-reliant on 51 minerals. Many of these, such as rare earths, gallium, graphite, iridium, tungsten and others, are considered potentially critical for our defense industrial base. Several materials are highly concentrated in a few countries where the risk of a supply disruption is a concern. Some examples of end-use products that are import-reliant include Hellfire missile propellant, high-tech magnets used for missiles, semiconductors, telecommunications, copper-nickel tubing, fasteners, lithium-ion batteries, and other parts. Approximately 91% of the rare-earth materials required for night vision goggles are imported from China. Only 1% of lithium-ion batteries produced on earth, were by US manufacturers; and approximately 70% of machine tools used in US manufacturing are imported.

For the PACOM theater specifically, threats with indirect linkages to BRI involve the following:

a) Commercial Shipbuilding to Military Specifications: A nation's shipbuilding capabilities and capacities can promote or constrain its strategy and ambitions at sea. Mahan knew this, and so do the Chinese. China's shipbuilding industry has grown more than any other nation in modern history. Commercial shipbuilding output jumped thirteen-fold from 2002-2012. Now, Beijing has largely reached its goal of becoming the world's leading shipbuilder. State-owned yards receive extensive direct and indirect government support. State owned banks provide loans to state-owned and private shipyards, targeting support for a group of yards that meet certain operating, quality, and technology standards. State-owned carriers then funnel orders to state-owned shipyards, providing an important source of business in a global market that has seen a sharp drop-off of new orders. This indiscriminate support has sustained overcapacity and led smaller yards into bankruptcy. Furthermore, China has parlayed its position as the world's second largest economy and defense budget into the world's second most powerful navy (see attached exhibit for number of ships broken down by category for 2016 and a

³⁴ Brigadier General John Adams, US Army (Ret), Remaking American Security.



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³¹ Can China and Russia Overcome Central Asian Rivalries?, CCR Advisory Group, https://ccradvisorygroup.com/can-china-russia-overcome-central-asia-rivalries/.

^{32 2017} Mineral Commodity Summaries, U.S. Geological Survey, available at https://minerals.usgs.gov/minerals/pubs/mcs/.

³³ McCullough, E. and Nassar N., Assessment of critical minerals: updated application of an early-warning screening methodology, available at https://link.springer.com/article/10.1007/s13563-017-0119-6.

projection for 2030). Given this reality, the People's Liberation Army Navy (PLAN) will be increasingly capable of contesting American sea control within growing range rings extending beyond Beijing's unresolved feature and maritime claims in the East and South China Seas, and in the far seas to protect its growing assets within the immense Belt and Road region.

For China, maintaining its shipbuilding industry is a leading policy priority. In 2013, the Ministry of Industry and Information Technology launched an initiative to restructure the sector by focusing support on 51 shipyards in a so-called White List. The yards must meet efficiency standards for energy and material usage; use third party quality standards such as ISO 14000; establish a minimum R&D budget; upgrade physical layouts; and improve training and working conditions. Yards that meet these conditions receive policy support, such as tax rebates and export credit. In addition, China offers subsidies for replacing older ships with new, more efficient tonnage, under its Scrap-and-Build subsidy program. In 2015, COSCO received \$667 million under this program, and received \$26 billion from the China Development Bank to support marine terminal investment as part of Xi Jinping's Belt and Road strategy. Meanwhile, other indiscriminate investment and loans, often by Chinese state-run banks, has created significant overcapacity among Chinese shipyards. According to press reports, China EX-IM Bank and the China Development Bank have government orders to provide unlimited financing for new builds ordered at priority yards.

Moreover, in 2015, China launched a plan to ensure that civilian vessels can support military operations of China's maritime forces in the event of a crisis. Under its Technical Standards for New Civilian Ships to Implement National Defense Requirements (hereinafter referred to as the Standards), the announcement is a sign of growing aspirations of Chinese naval planners in developing naval expeditionary warfare capabilities. The Standards were co-compiled by the Shipment Military Representative Office of the PLA, Nanjing Military Area Command, and the Shanghai Specifications Institute. It was officially approved and promulgated for implementation as a national military standard. The mandate consists of six parts: general rules, container ship, roll-on-roll-off ship, multipurpose ship, bulk cargo ship and general cargo ships. The Standards specifies the performances, purposes and main items and design requirements for new civilian ships to meet the national defense requirements. Per the Ministry of National Defense, "The implementation of this military standards for civilian ships makes it possible for China to turn the great potential of its civilian ships quickly into military strength for national defense and will considerably enhance the PLA's strategic projection capability and maritime support capability."35 This would be in line with China's recently published defense white paper, which elaborates on Chinese aspirations towards a blue-water navy and an increased Chinese naval presence outside territorial waters.³⁶

5. What opportunities and costs does BRI present for U.S. military interests?

The Department of Defense may have views on this.

³⁶ China to Embrace New Defense Strategy, The Diplomat, https://thediplomat.com/2015/05/china-to-embrace-new-active-defense-strategy/.

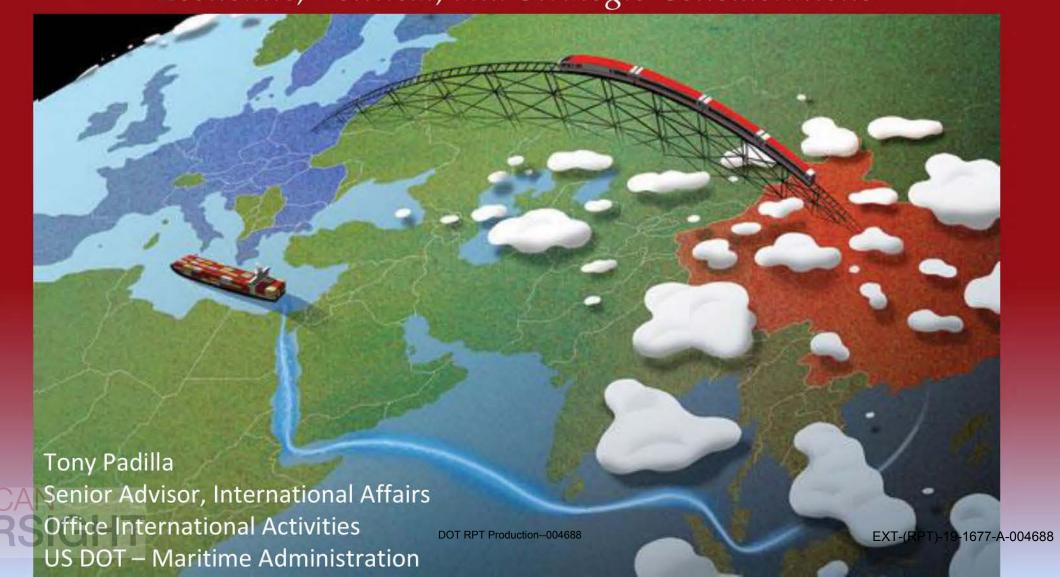


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³⁵ Ministry of National Defense, People's Republic of China, available at: http://eng.mod.gov.cn/TopNews/2015-06/12/content_4590018.htm.

China's Belt and Road Initiative

Economic, Political, and Strategic Considerations



Disclaimer

For the purposes of this presentation, the opinions and views expressed herein are solely those of Mr. Padilla and do not necessarily represent the views, opinions, or interests of the US government. The US government, as a matter of policy, disclaims responsibility for any views or presentations by any of its employees or persons, supporting the mission of its agencies.



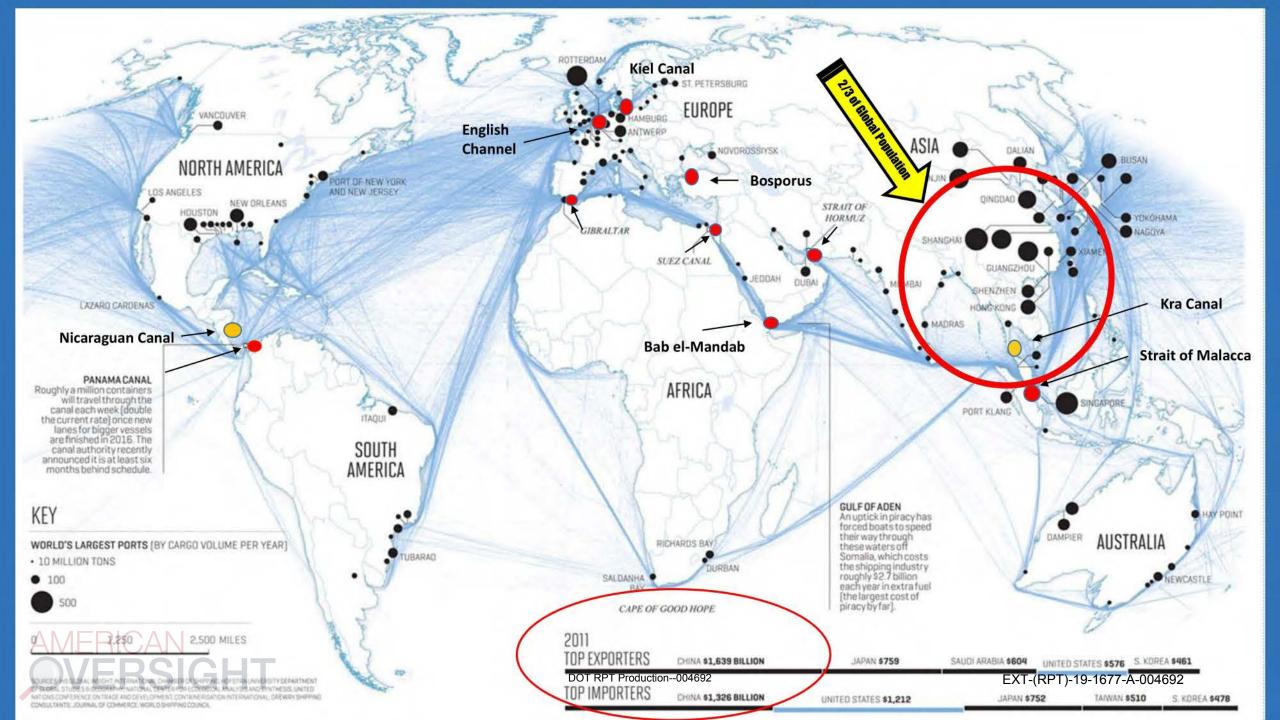
Overview

- I. Geoeconomic Trends
- The Global Maritime Industry 101
- III. Belt and Road Characteristics and History
- IV. Motivations and Methods
- AMERICAN Global Infrastructure and Supply Chains
 OVERSIGHT

 DOT RPT Production-004690

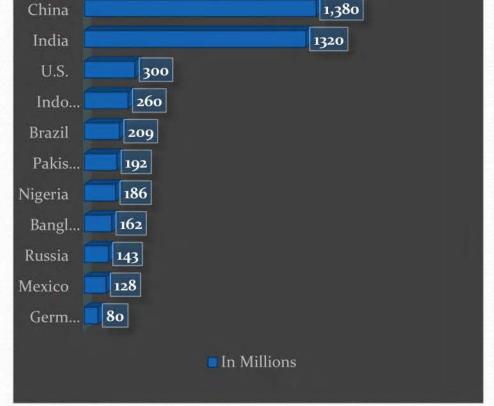
I. Geoeconomic Trends





Global Trends – Population

- China is the most populated country in the world.
- India has the highest acceleration rate with a 15+ million increase in people per year.
- Germany is most populated country in the European Union with 80+ million.
- The U.S. is the 3rd largest country in the planet, but only makes up 4.4% of the World population.



POPULATION BY COUNTRY

2016

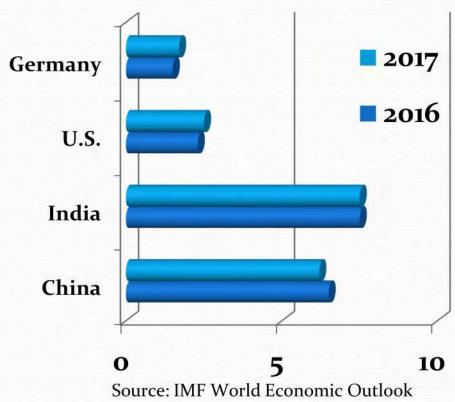
AMERICAN
Source: Worldometers

DOT RPT Production--004693

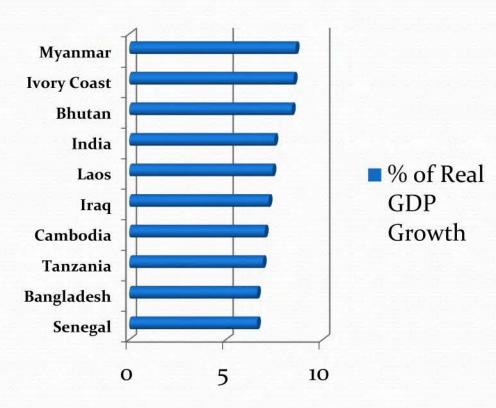
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General Global Trends - GDP Growth



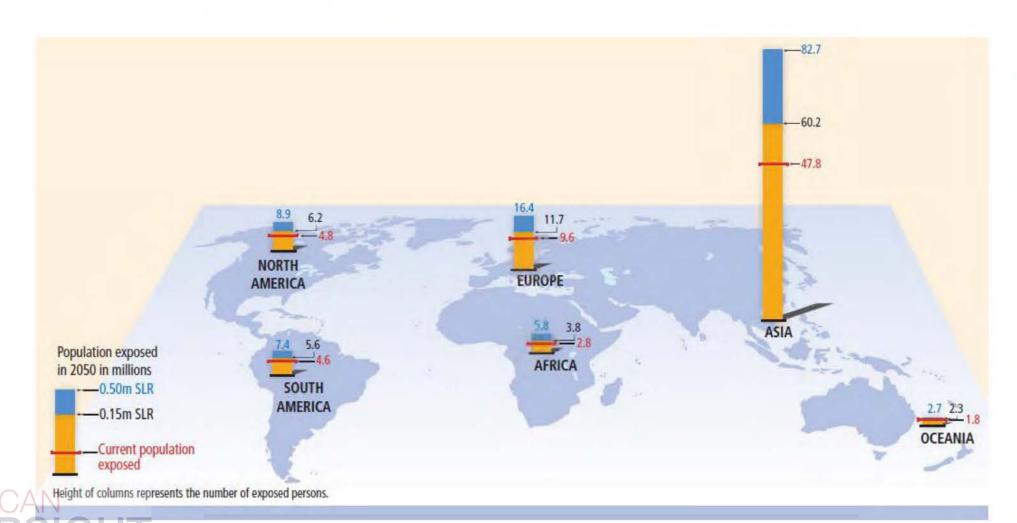


World's fastest Growing Economies





Sea Level Rise and Population Impact



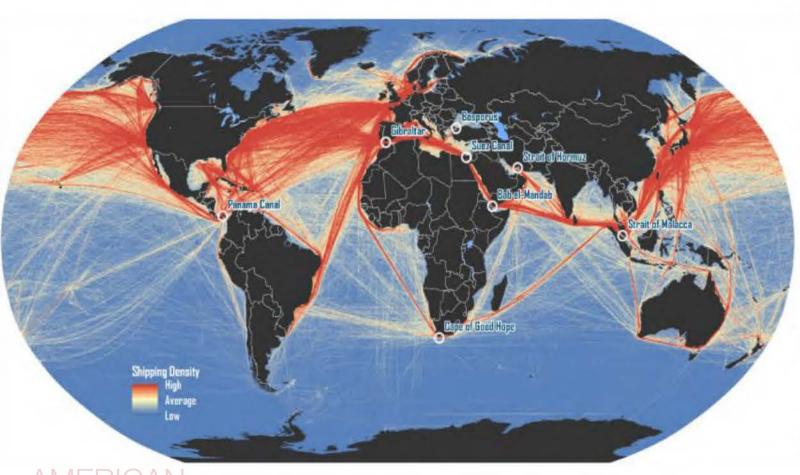
TOP CONTAINER SHIP TRADE ROUTES



II. The Global Maritime Industry



Shipping and the Global Economy



- 70% value; 90% volume.
- 1/2 2/3 of GWP \$77T.
- ~60,000 merchant ships; registered in over 150 nations; ~1.6M seafarers.
- In 2015, seaborne trade ~10 billion tons.
- ~70% through Chineseowned or -invested ports.
- Consumer goods to market 365 days/yr.

Types of Vessels



Liquid Natural Gas



ry Bulk Tanker



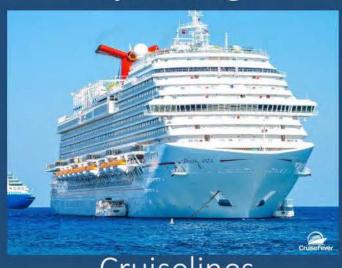
Bulk Oil Tanker



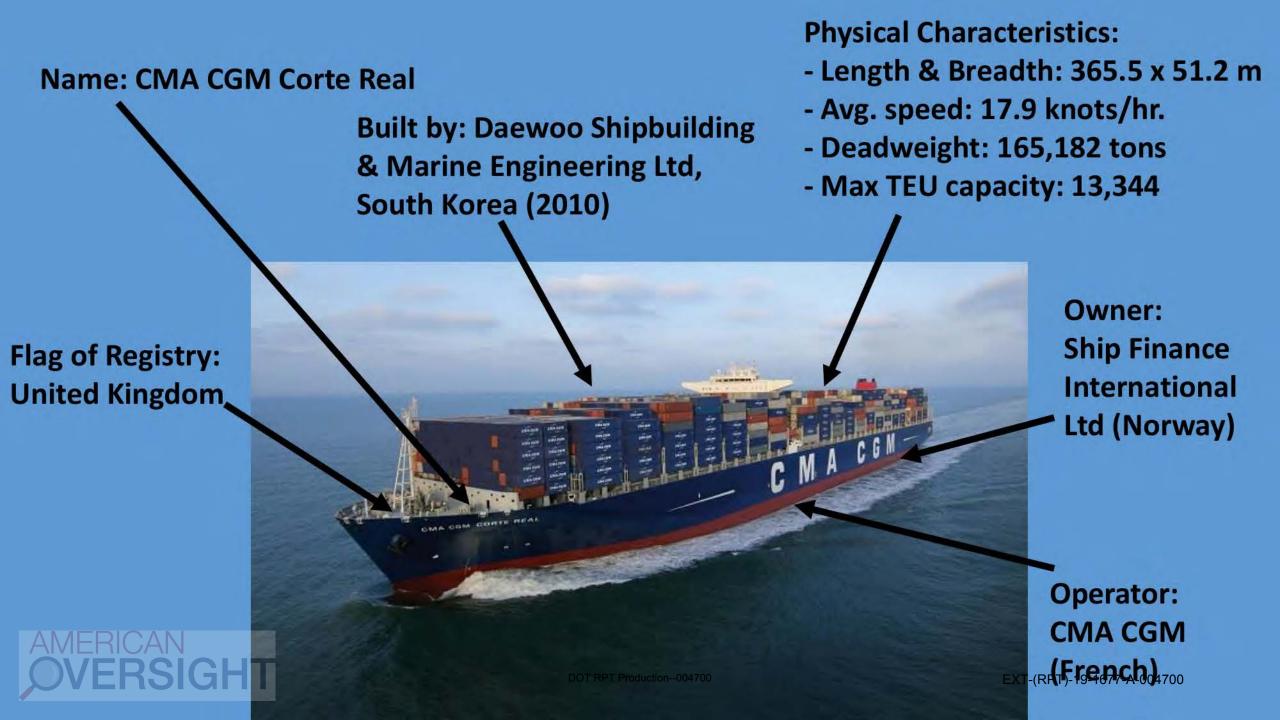
Automobiles



Project Cargo



Crexiselines A-004699



Top maritime shipping companies



























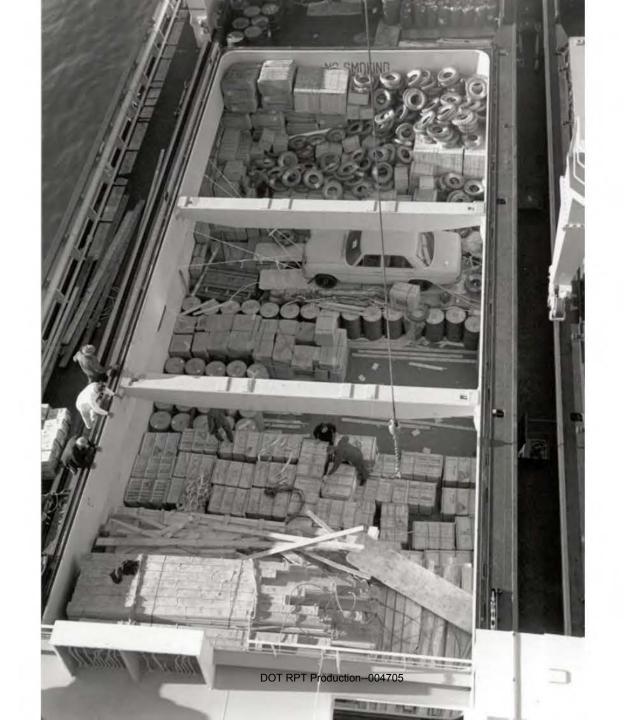
Maritime is a Competitive Service Industry

Consumers





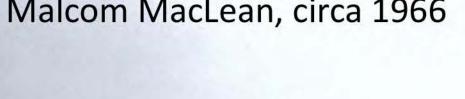






Containerization

Malcom MacLean, circa 1966



- Increased efficiency
- Reduced cost
- Increased productivity
- Increased safety

Thinking inside the box

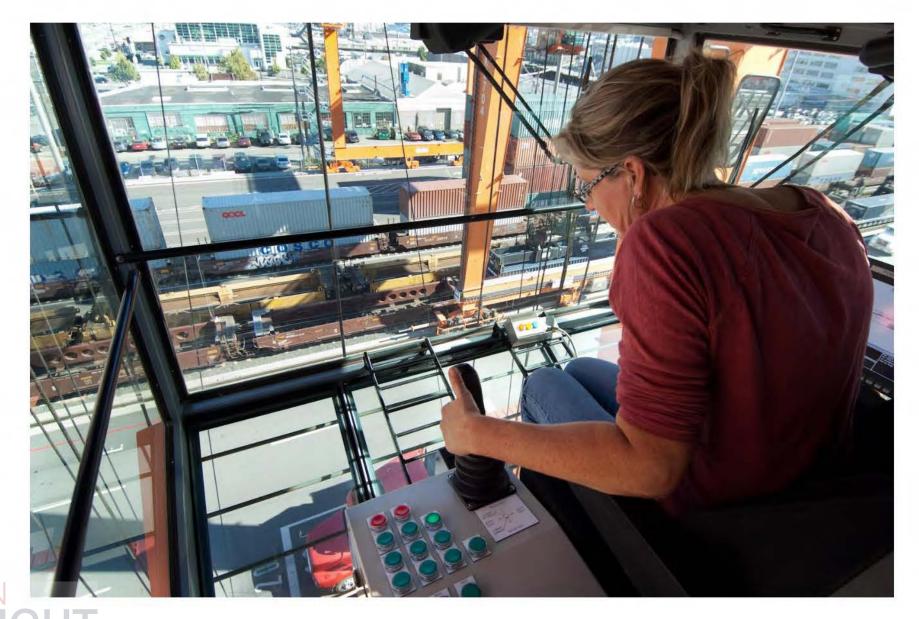
Daniel Bernhofen et al; The Economist



Ports worldwide		
	1965	1970
Port labour productivity, tonnes per hour	1.7	30.0
Average ship size, tonnes	8.4	19.7
Number of loading ports in Europe	11	3
Insurance costs†, £ per tonne	0.24	0.04
Value of goods in transit [‡] , £ per tonne	2	1

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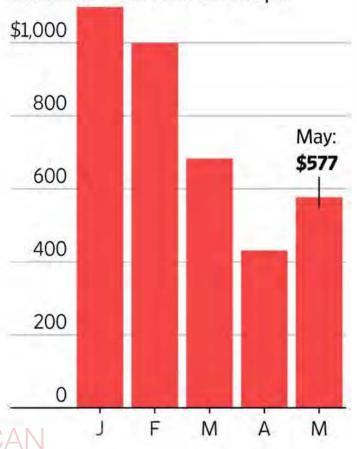
*Deflated by US consumer prices [†]Australia to Europe [‡]Hamburg to Sydney



Sea transport vs Land transport

Containing Costs

Average cost to ship a 20-foot container from Asia to Europe



Source: Shanghai Shipping Exchange

THE WALL STREET JOURNAL.

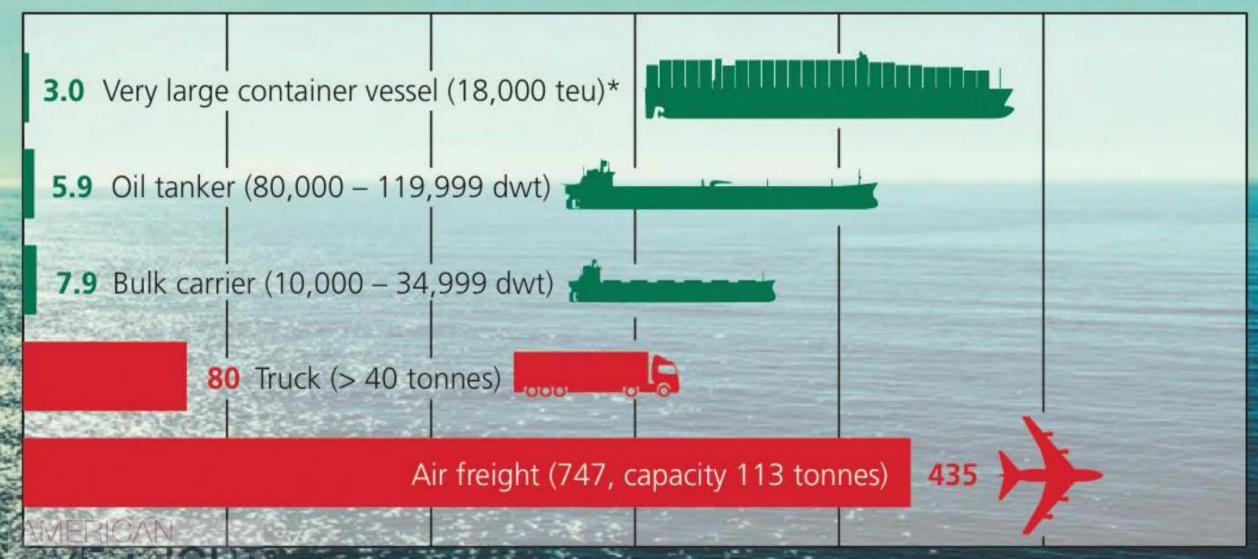
Sea transport is relatively cheaper.

With the development in container and port efficiency, the cost of sea transport is declining.

Comparison of CO₂ emissions between modes of transport

Grams per tonne/km

Source: Second IMO GHG Study (*AP Møller-Maersk, 2014)

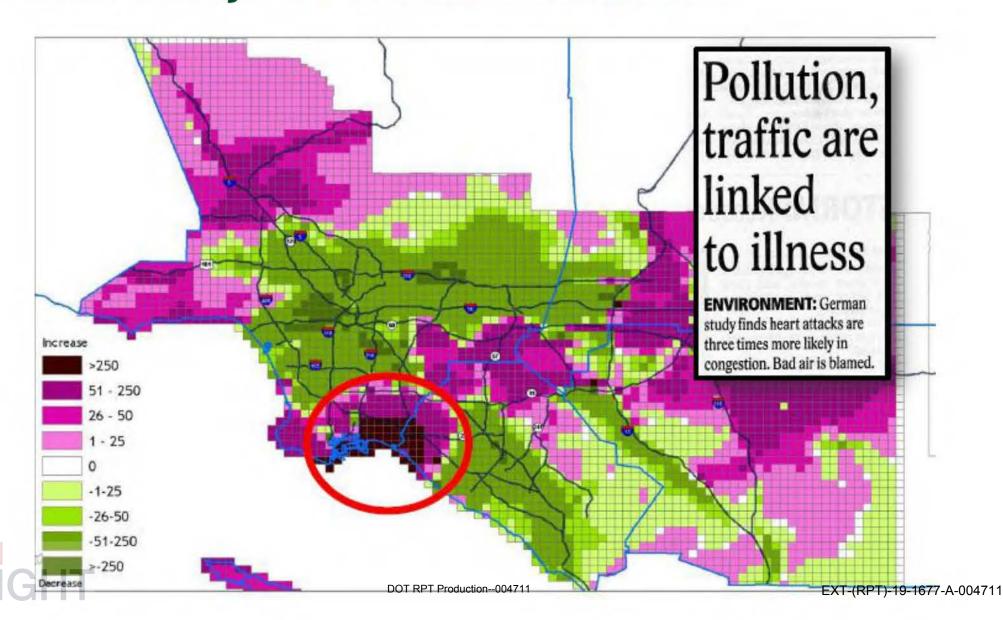


Global shipping is the 6th largest producer of greenhouse gas emissions

RANKING	COUNTRY	EMISSIONS (BILLION TONS CO ₂)
1	USA	6.05
2	China	5.01†
3	Russia	1.52
4	India	1.34
5	Japan	1.25
6	Global Fleet	1.12*
7	Germany	0.8



Case Study: A "Diesel Death Zone"

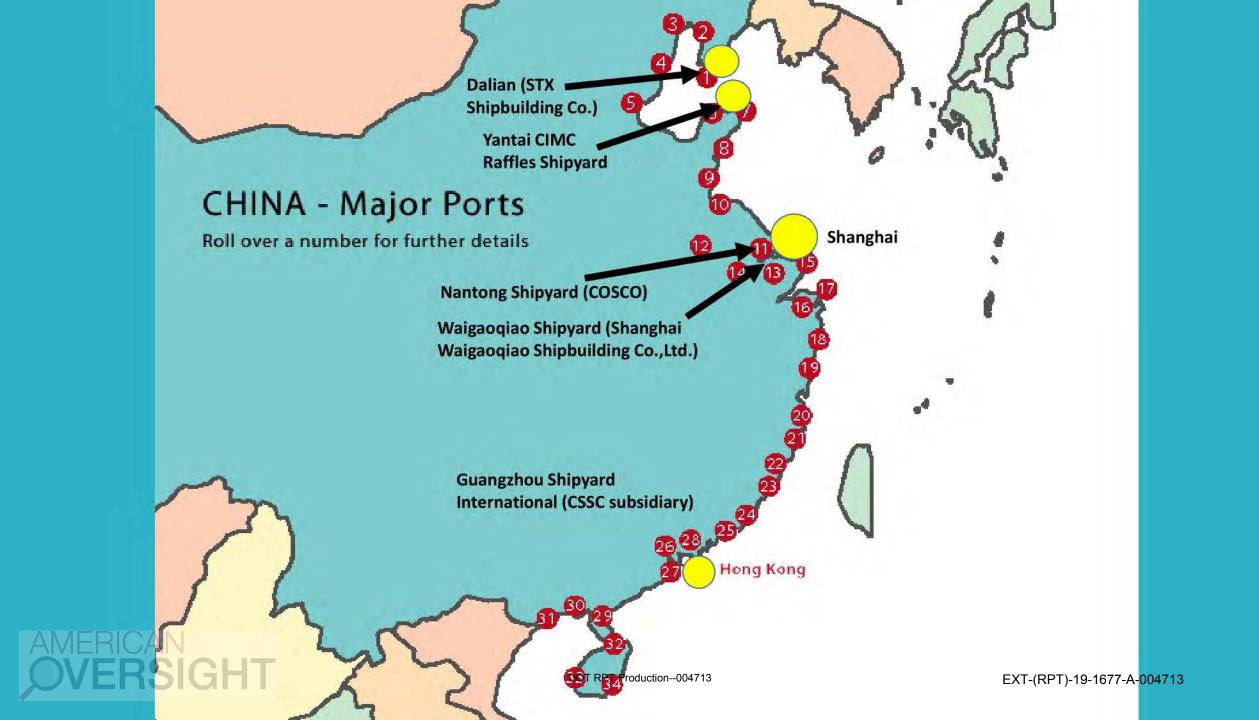


A One Page Guide to the Top 20 Busiest Ports in the World

With oil prices consistently above \$100 a barrel in 2012, logistics providers have been looking at more energy-efficient and cost-effective ways of shipping temperature-sensitive products around the world. As a result, most ocean freight markets are showing growth in shipping volumes and there has been an increase in the availability of reefer plug-in points at ports. Want to know which port has the biggest throughput in the world? This infographic identifies the Top 20 busiest container ports of the world measured in TEU (Twenty-Foot Equivalent Unit).

RANK	PORT, COUNTRY (MILLION-TEUS)	VOLUME 2011
1	Shanghai, China	31.74
2	Singapore, Singapore	29.94
3	Hong Kong, China	24.38
4->	Shenzhen, China	22.57
5	Busan, South Korea	16.17
6 ->	Ningbo-Zhoushan, China	14.72
7-	Guangzhou Harbor, China	14.26
8_	Qingdao, China	13.02
9	Jebel Ali, Dubai, United Arab Emirates	13.01
10	Rotter dam, Netherlands	11.88
11-	Tianjin, China	11.59
12	Kaohsiung, Taiwan, China	9.64
13	Port Kelang, Malaysia	9.60
14	Hamburg, Germany	9.04
15	Antwerp, Belgium	8.66
16	Los Angeles, U.S.A.	7.94
17	Keihin Ports, Japan*	7.64
18	Tanjung Pelepas, Malaysia	7.50
19	Xiamen, China	6.47
20	Dalian, China	6.40





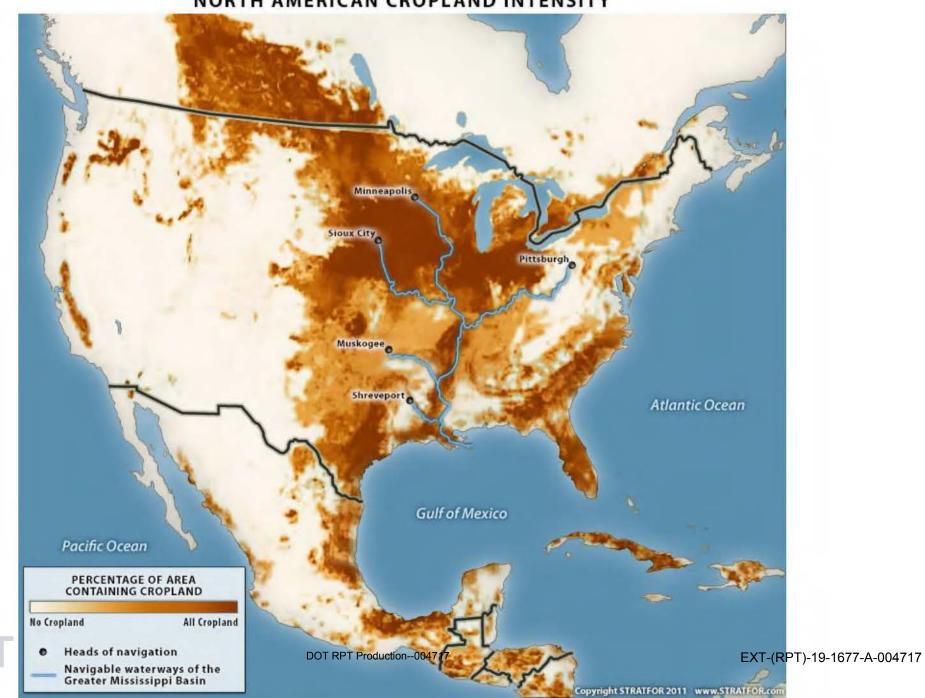
The U.S. at Night







NORTH AMERICAN CROPLAND INTENSITY



AMERICAN OVERSIGHT

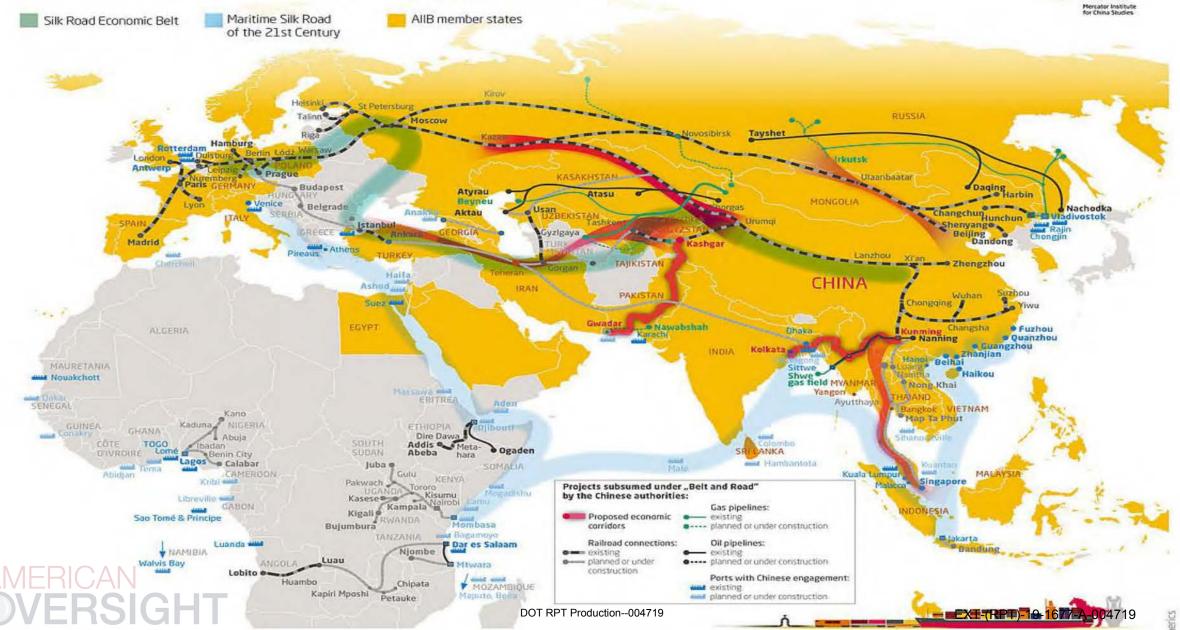
III. Belt and Road Characteristics



China aims to build a global infrastructure network

"Belt and Road" infrastructure projects, planned and completed (March 2017)





The Belt and Road Initiative

4.4 billion

Combined population of all countries involved in BRI



BRI touches 62 percent of the world's population

\$23 trillion

Combined GDP of all countries involved

\$3 trillion

Trade between China and BRI countries between 2014-2016



The less developed BRI partners have an average yearly income of \$6,312.

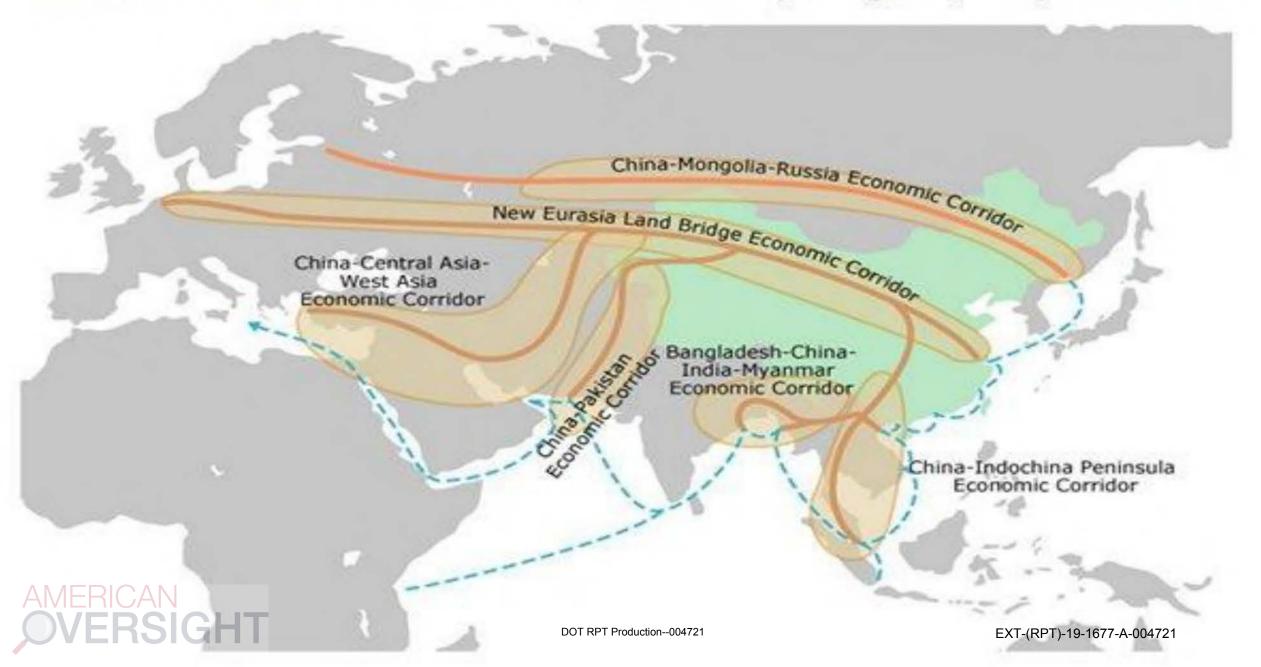
\$26 trillion
Estimated cost of infrastructure needs.



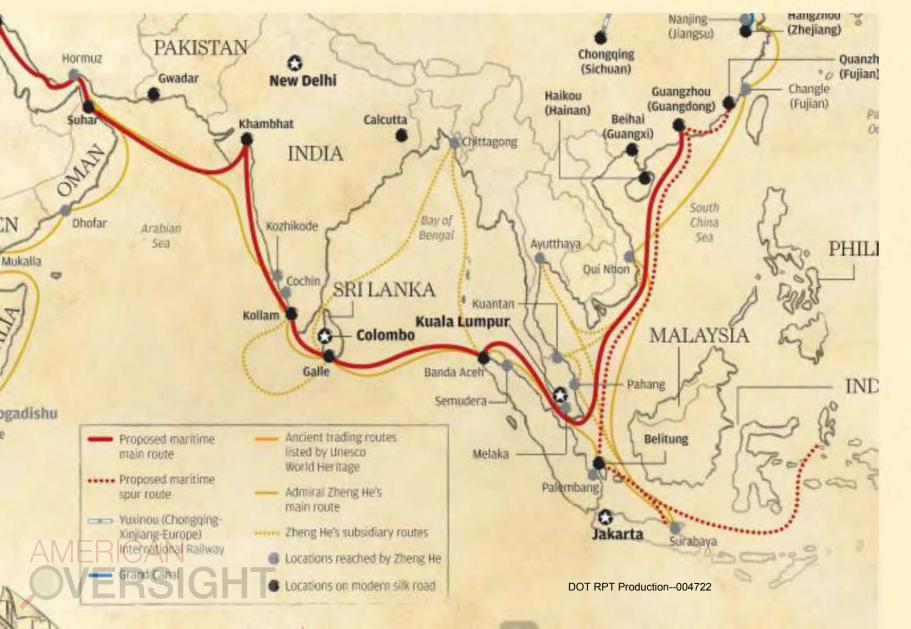
The estimated cost of infrastructure needs in the developing parts of the Asia-Pacific through 2030 is \$26 trillion. China has pledged \$1 trillion.



The Belt and Road Initiative: Six Economic Corridors Spanning Asia, Europe and Africa



Admiral Zheng He's Voyages (1405 - 1433)



"Zheng He's seven voyages to the West explains why a peaceful emergence is the inevitable outcome of the development of Chinese history. The essence of Zheng's voyages does not lie in how strong the Chinese navy once was, but in that China adhere to peaceful diplomacy when it was a big power."

 Deputy Minister of Communication Xu Zuyuan

"Zheng brought silk, tea and the Chinese culture" to foreign peoples, "but not one inch of land was occupied."

- Fmr. Premier Wen Jinbao

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Admiral Zheng He's Voyages (1405 - 1433)



- Zheng He's fleet consisted of 317 ships with almost 28,000 crewmen.
- Columbus' flagship, Santa Maria, was 19 meters long while Zheng He's larger ships were 120 meters long.
- Born into a Muslim family, He is rumored to have spoken Arabic and his tomb is built in the Muslim style. However, a true mariner, some say He worshiped Tianfei, the patron goddess of sailors and seafarers.

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IV. Motivations and Methods





"Whoever controls the Indian Ocean dominates Asia. This ocean is the key to the seven seas in the twenty-first century, the destiny of the world will be decided in these waters."

RADM Alfred Thayer Mahan (d)

"...the world is not rotating on the axis of human justice. Every country in this world advances its own interests. It is economic and trade interests that determine the order of the present world, not the moral law of justice nor the rights of people."

Velupillai Pirabaharan
 Leader of Tamil Eelam



Motivations

- Domestic (practical)
 - Excess Industrial capacity (Lehman Shock of 2008)
 - Development of western provinces
 - Create new markets for Chinese-made products
- Foreign (strategic)
 - Energy Security ("Malacca Dilemma")
 - Food Security
- ERICAN Regional and Global Leadership

Belt and Road Financing

- Policy Banks
 - China Development Bank
 - China Export-Import Bank
 - Agricultural Development Bank of China
- Silk Road Fund
- Asian Infrastructure Investment Bank
- Bilateral Trade Deals
- AMERICAN MDB co-financing arrangements

Political Alliances

- Shanghai Cooperation Organization (SCO)
- Association of Southeast Asian Nations 10+1 (ASEAN)
- Asia Pacific Economic Cooperation (APEC)
- China-Arab State Cooperation Forum (CA-SCF)
- Russia-led Eurasian Economic Union (EEU)
- Bilateral Agreements: Turkey, UK, Poland, & Interpol

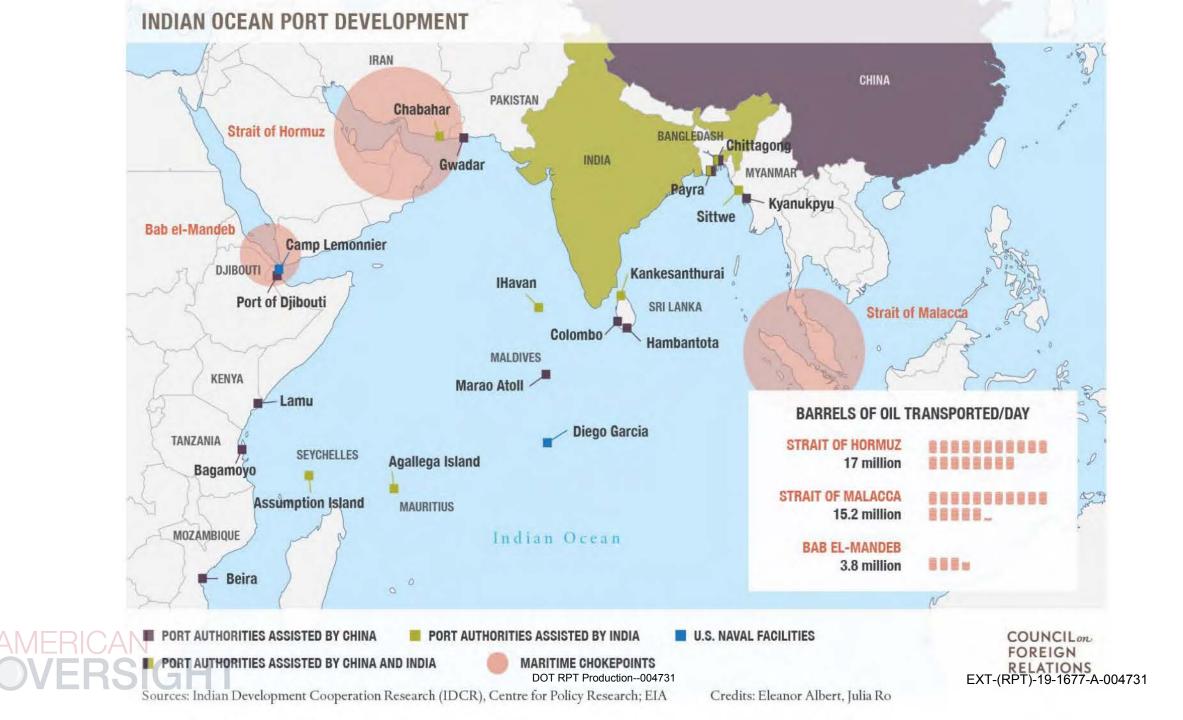


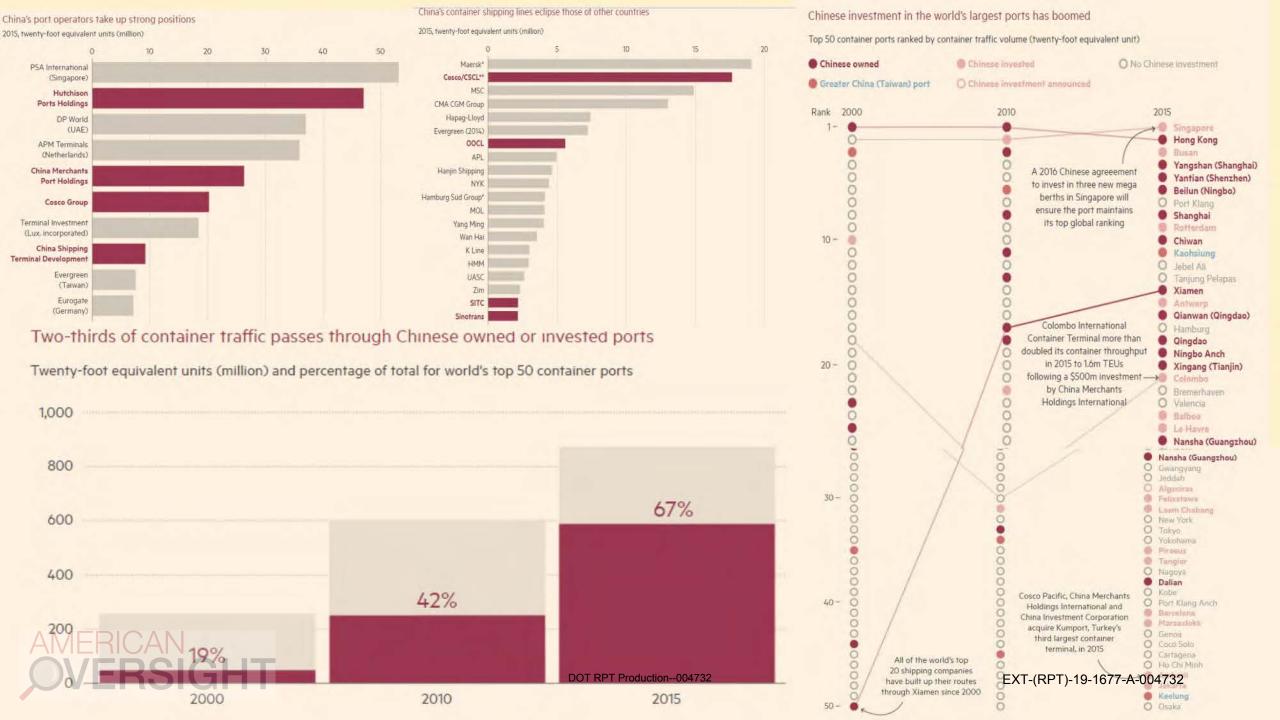
China's Pathways to the Indo-Pacific

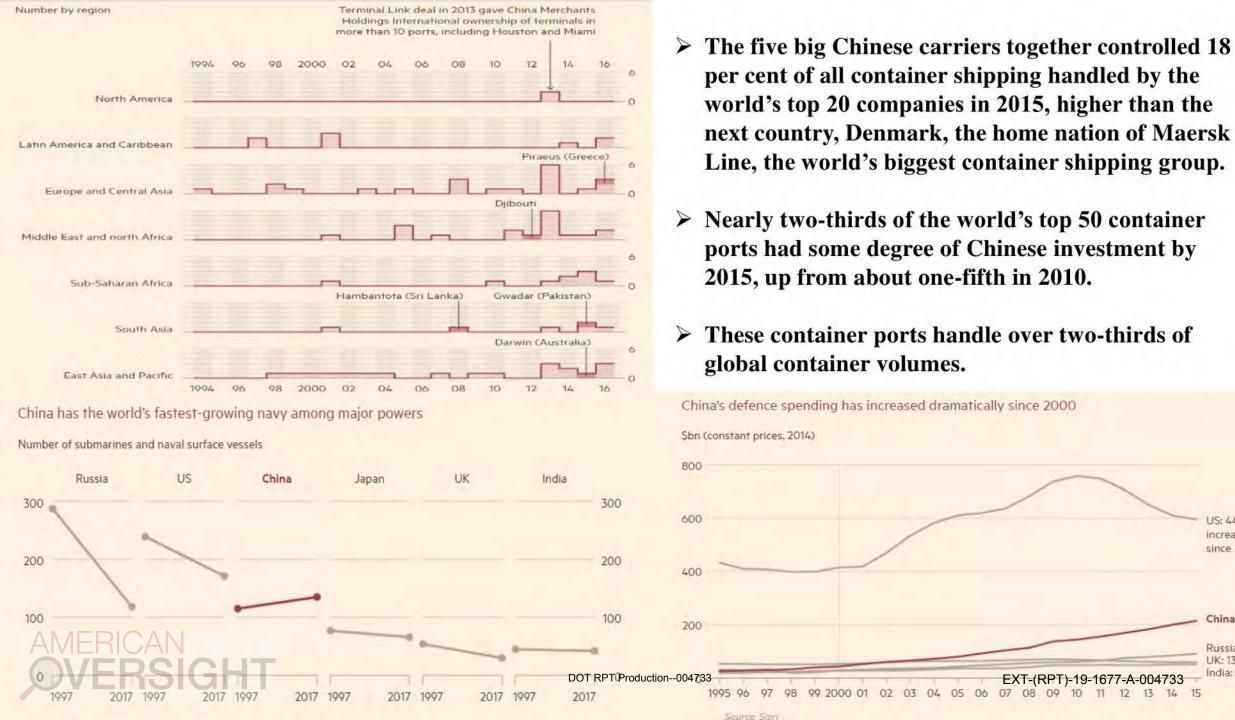




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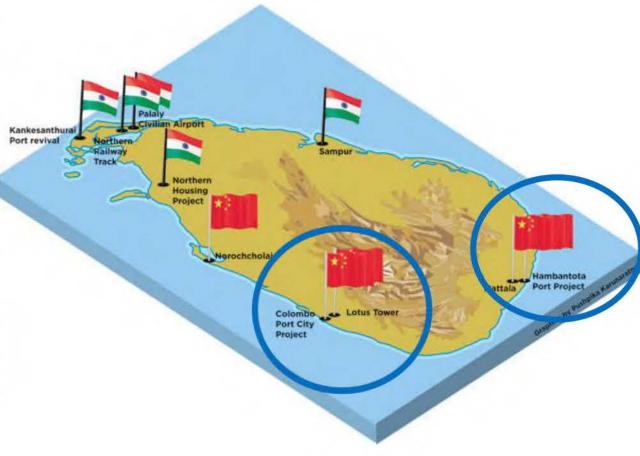
US: 44% increase since 2000

China: 396%

Russia: 216% India: 87%

Hambantota Deep-Sea Port







sive mercantuisi is threats facing

"China's aggressive mercantilist policies are one of the most serious threats facing the future of [the United States]."

- American Chamber of Commerce





V. Global Infrastructure and Supply Chains

- 1. Nations want fully-integrated, reliable, cost competitive, and efficient transportation systems.
- 2. The economic health of nations is highly dependent on their global supply chains.
- 3. Supply chains are <u>inextricably linked to maritime</u> <u>transportation</u>, which carries ~90% of international trade.
- 4. Innovative technology and best management practices have the potential to increase global growth and economic opportunities.



Enabling Trade Valuing Growth Opportunities

oration with Bain & Company and the World Bank

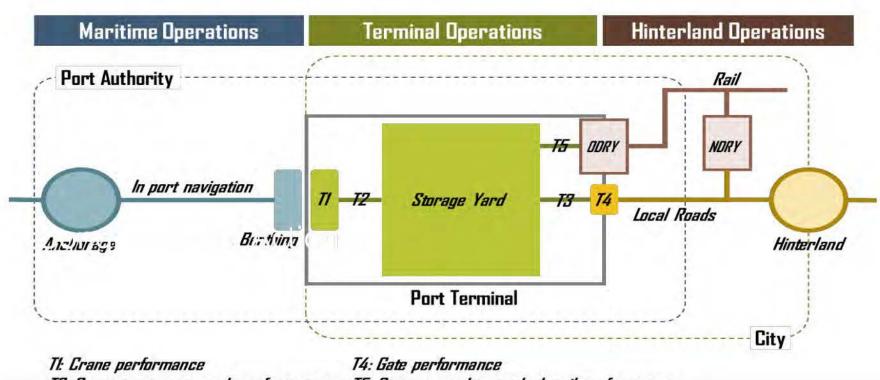
Focus on Chains!



AMERICAN OVERSIGHT

DOT RPT Production--004737

Think Holistically and Intermodal



T2: Crane to storage yard performance

T3: Storage yard to gate performance

T5: Storage yard to on-dock rail performance

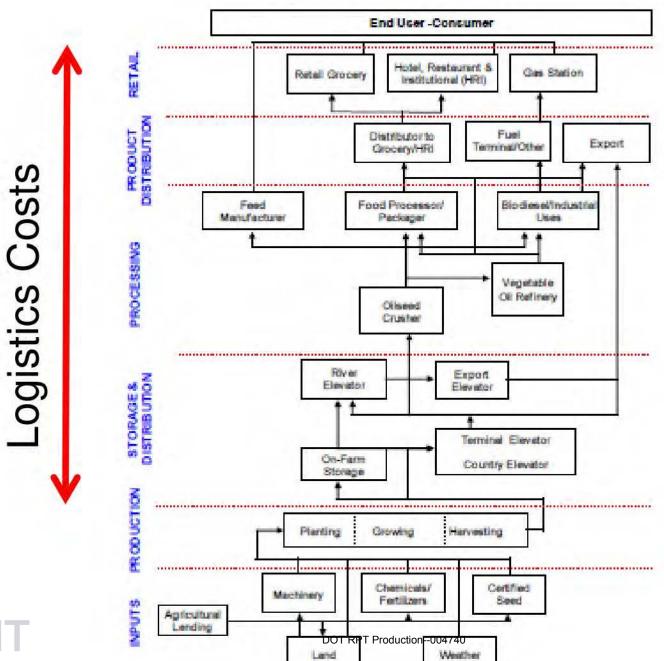
DDRY/NDRY: On-dock/Near-dock rail yard







Soybean Value Chain





Basis & Transportation Cost

Local Price Futures Price Basis \$10.8425 - \$12.0125 = -117 cents

Price or Cost per bu.

\$12.01 CBOT Futures Price

- 0.89 Transportation
- 0.11 Weighing and Inspection Charges
- 0.04 Handling fees
- 0.07 Storage Costs
- 0.01 Interest
- 0.05 Administration, Hedging, etc
- = \$10.8425 Local Price Offered by Buyer

Why Should Farmers Care About Transportation?

...Because our international competitiveness depends on it.

Costs of transporting soybeans: U.S. vs. Brazil (per metric ton; 4th quarter, 2012)

Davenport, Iowa to Shanghai

Truck - \$10.86

Barge - \$33.95

Ocean - \$43.69

Total Trans - \$88.50

Farm Value - \$522.99

Customer Cost – \$611.49

T. as % of Cust. Cost – 14.47%

North Mato Grosso, Brazil to Shanghai

Truck - \$109.80

Ocean - \$50.42

Total Trans - \$160.22

Farm Value - \$536.60

Customer Cost – \$696.82

T. as % of Cust. Cost – 22.99%

Source: USDA





2016

Trade Logistics in the Global Economy

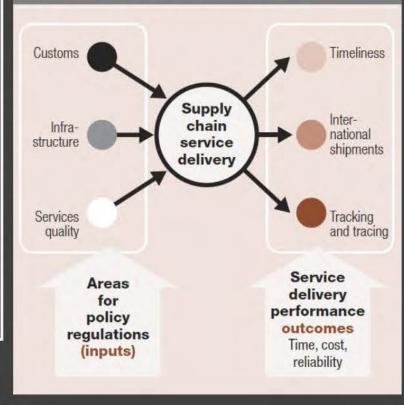


The Logistics Performance Index and Its Indicators

One Belt, One Road: An initiative that will likely have significant implications for logistics operators is the One Belt, One Road Initiative, which is led by China and targets 60+ countries. This ambitious program seeks to improve trade connectivity among Silk Road economies and also countries on the main sea routes from China. While in its early stages, the initiative has an ambitious scope. It will target physical infrastructure in a variety of locations, catalyzing finance and investment resources. However, hard infrastructure is not enough. There also needs to be a soft component, involving regulatory reform in service markets such as transport, logistics, and telecommunications. China's trade costs with some initiative countries are high, particularly with Central Asian countries. From this starting point, the initiative can help develop a broad, business-focused program that can work on multiple fronts to bring improvements in trade facilitation and logistics to participating countries.

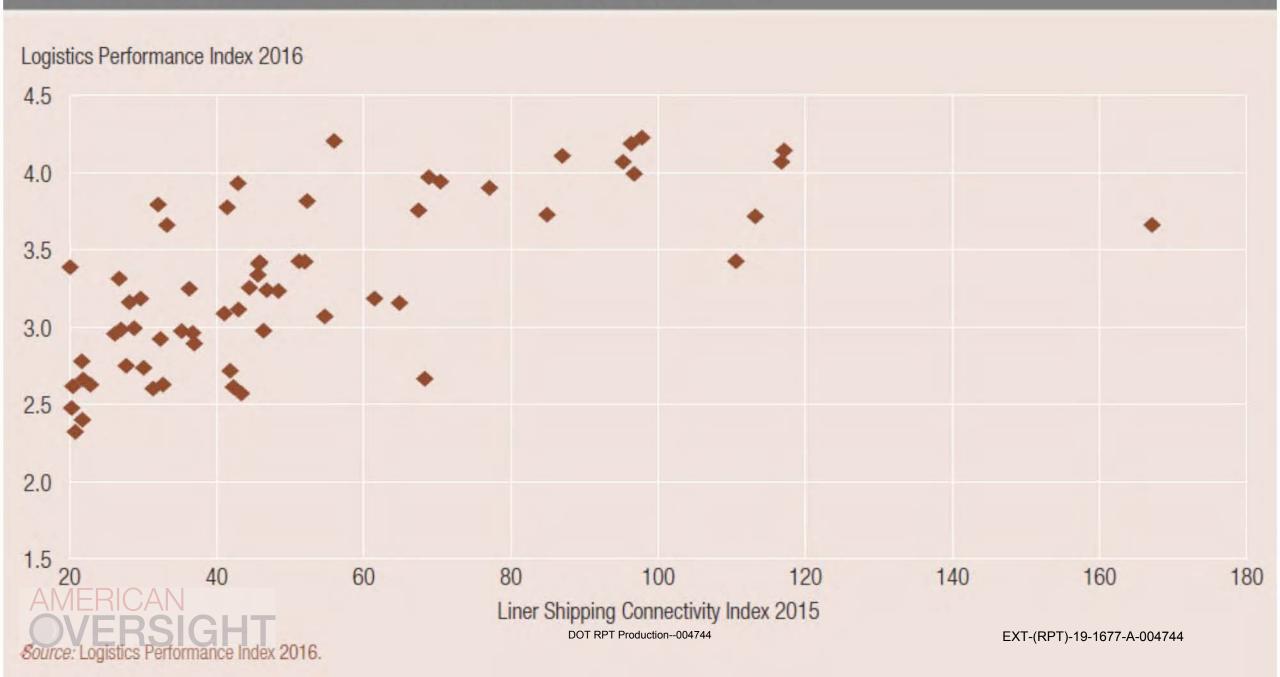
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Input and outcome LPI indicators



Logistics Performance Index

The LPI and the Liner Shipping Connectivity Index



Logistics Performance Index – Top Performing

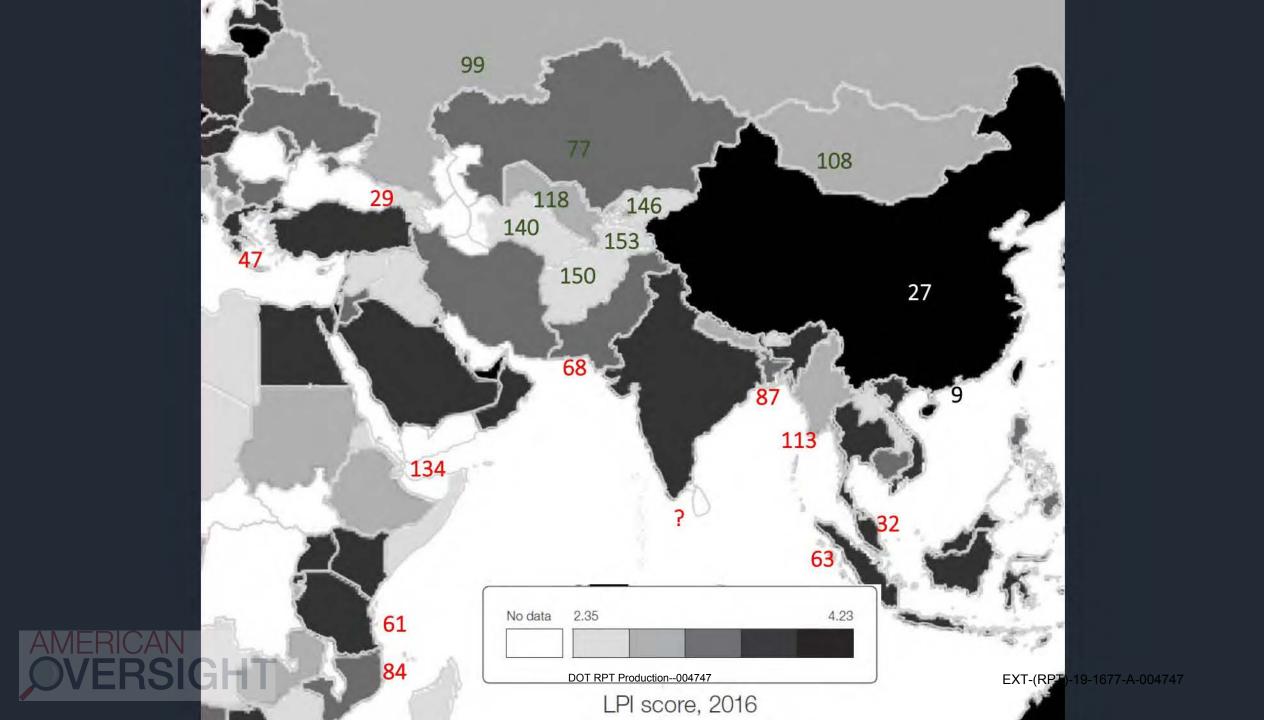
<u>Country</u>	Year	LPI Rank	LPI Score	Customs	Infrastructure	International shipments	Logistics competence	Tracking & tracing	Timeliness
Germany	2016	1	4.23	4.12	4.44	3.86	4.28	4.27	4.45
Luxembourg	2016	2	4.22	3.90	4.24	4.24	4.01	4.12	4.80
Sweden	2016	3	4.20	3.92	4.27	4.00	4.25	4.38	4.45
Netherlands	2016	4	4.19	4.12	4.29	3.94	4.22	4.17	4.41
Singapore	2016	5	4.14	4.18	4.20	3.96	4.09	4.05	4.40
Belgium	2016	6	4.11	3.83	4.05	4.05	4.07	4.22	4.43
Austria	2016	7	4.10	3.79	4.08	3.85	4.18	4.36	4.37
United Kingdom	2016	8	4.07	3.98	4.21	3.77	4.05	4.13	4.33
Hong Kong, China	2016	9	4.07	3.94	4.10	4.05	4.00	4.03	4.29
United States	2016	10	3.99	3.75	4.15	3.65	4.01	4.20	4.25

DOT RPT Production--004745

EXT-(RPT)-19-1677-A-004745

Logistics Performance Index – Maritime Silk Road

Country	Year	LPI Rank	LPI Score	Customs	Infrastructure	Int'l Shipments	Logistics Competence	Tracking & Tracing	Timeliness
Lithuania	2016	29	3.63	3.42	3.57	3.49	3.49	3.68	4.14
Malaysia	2016	32	3.43	3.17	3.45	3.48	3.34	3.46	3.65
Greece	2016	47	3.24	2.85	3.32	2.97	2.91	3.59	3.85
Indonesia	2016	63	2.98	2.69	2.65	2.90	3.00	3.19	3.46
Pakistan	2016	68	2.92	2.66	2.70	2.93	2.82	2.91	3.48
Mozambique	2016	84	2.68	2.49	2.24	3.06	2.44	2.75	3.04
Bangladesh	2016	87	2.66	2.57	2.48	2.73	2.67	2.59	2.90
Myanmar	2016	113	2.46	2.43	2.33	2.23	2.36	2.57	2.85
Djibouti	2016	134	2.32	2.37	2.30	2.48	1.96	2.09	2.69
Turkmenistan	2016	140	2.21	2.00	2.34	2.37	2.09	1.84	2.59



Tony Padilla
Senior Advisor for International Affairs
Office of International Affairs
Maritime Administration
U.S. Department of Transportation
(202) 366-7045
tony.padilla@dot.gov



Back-up Slides



Crumbling, decades old technology



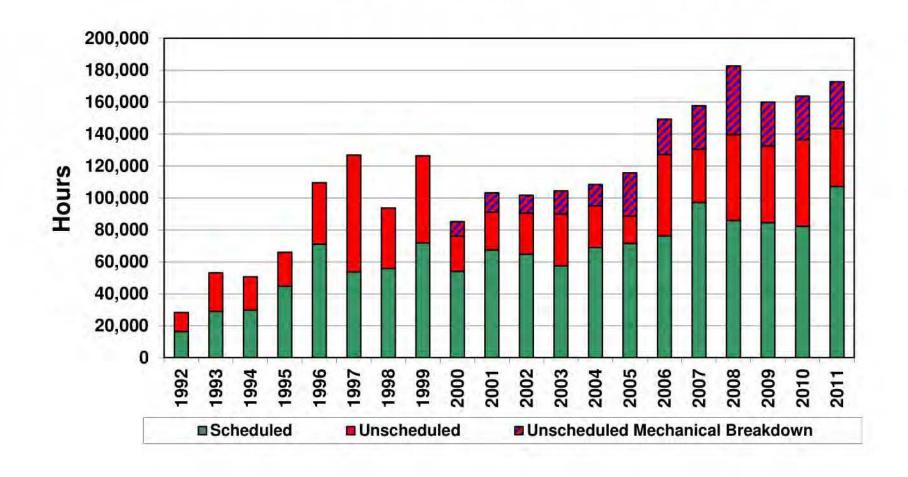






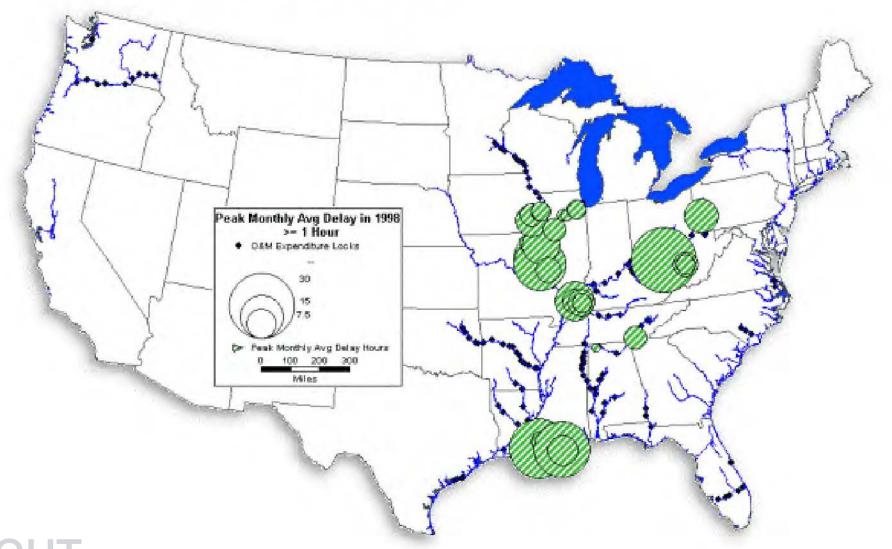


Increasing Outages at Locks





Traffic Delays



From: Dear, Wilda (MARAD)

 Sent:
 14 Mar 2018 14:39:35 +0000

 To:
 Guynn, Michelle (OST)

 Cc:
 Balzano, Richard (MARAD)

Subject: Maritime Administrator Mark Buzby - Calendar Updates for March 19—25, 2018

Special Note: March 17th depart for Tokyo, Japan Arrives March 18.

19 6:30PM Formal Dinner with Japan Maritime Bureau

20 10:30AM Meeting with The American Chamber of Commerce in Japan

2:00PM Site Visit to Kaiwo-Maru at Port of Harumi – Japan Agency of

Maritime Education and Training for Seafarers (JMTES) will host the Training Ship Tour and explain their education and training

system.

President Tetsuichi Nozaki of JMETS and Captain and C/E of

KAIWO-Maru will host the ship tour.

6:00PM Delegation Dinner (Japan hosted)

21 10:00AM Meet with Nippon Yusen Kaisha (NYK)

NYK Lines - Tour NYK Maritime Museum

1:00PM Meet with NYK Leadership

22 9:00AM Meet with the U.S. Deputy Chief of Mission

9:30AM Meet with U.S. Embassy to Japan's Economic and Trade Section

12:20PM Depart for New York.

23 Annual Leave

24-25 No official events.

Regards,

Wilda Dear Executive Assistant to RADM Mark H. Buzby (USN, Retired) Maritime Administrator (202) 366-2215



From: Guynn, Michelle (OST)

Sent: Wednesday, March 14, 2018 8:21 AM

Subject: Requested: Calendar Updates for March 19—25, 2018

A good and frosty morning to you!

Please provide information for the following, if any:

- Leave dates (any upcoming over the next couple of weeks);
- * Internal/External Executive Meetings (provide date, time, name of person(s), purpose
 of meeting and Non-Career/Career attendees);
- · Speaking engagements (provide date, time, name of engagement, city and state);
- Conferences/Seminars (provide date(s), name of conference/seminar, along with city and state); and/or
- Meetings with elected officials (provide date, time, name of the official, political party and state, meeting purpose, along with attendees).
- * As I know that your time is valuable, if you are <u>e-mailing</u> the details to me please *<u>do not</u>* provide any information for standard internal DOT ONLY Executive meetings; however, if you wish, you may feel free to enter this information into the SharePoint site.

Please submit your confidential calendar updates to me for March 19—25 no later than 2:00 p.m. on Thursday, March 15. You may e-mail the updates to me directly, or enter them into SharePoint, here:

(b)(5) Deliberative Process Privilege

Feel free to call me at ext. 61100, or e-mail me with any questions or concerns that you may have.

Thank you, have a great day and stay warm!

Very respectfully,

Michelle D. Guynn
Executive Assistant to the Secretary
U.S. Department of Transportation
T: (202) 366-1100 | E: Michelle.D.Guynn@dot.gov



Bond, Richard (MARAD) From: Sent: 16 Oct 2018 20:50:48 +0000 Balzano, Richard (MARAD) To:

Subject: Membership Appointments for the Maritime Transportation System National

Advisory Committee

Attachments: Membership Appointments for the Maritime Transportation System National

Advisory Committee S10-180716-123_D6.docx

Importance: High

Sir,

Attached is the latest copy of Membership Appointments for the Maritime Transportation System National Advisory Committee as you requested for your meeting tomorrow.

Richard G. Bond U.S. Department of Transportation Office of the Executive Director MARAD Executive Secretariat W24-228 1200 New Jersey Ave SE Washington DC 20590 (202) 366-7006 Richard.bond@dot.gov

From: Balzano, Richard (MARAD)

Sent: Tuesday, October 16, 2018 4:40 PM

To: Bond, Richard (MARAD) < richard.bond@dot.gov>

Subject: MTSNAC

Hello Richard.

Remember that MTSNAC membership Memo you tacked down yesterday? Could I get a copy of it I now need it for a meeting tomorrow morning.

Thank you

R/

Deputy Maritime Administration

Office: 202-366-5823



ACTION MEMORANDUM TO THE SECRETARY

From: Mark H. Buzby

Maritime Administrator

x61719

Prepared by: Lauren Brand

Associate Administrator for Ports and Waterways

x67057

Subject: Membership Appointments for the Maritime Transportation System

National Advisory Committee

ACTION REQUIRED

The Maritime Administration (MARAD) request that the Secretary approve the appointment and/or re-appointment of the membership to the U.S. Maritime Transportation System National Advisory Committee (MTSNAC) to ensure that MTSNAC continues to have adequate representation and expertise to assist MARAD achieve its mission.

SUMMARY

(b)(5) Deliberative Process Privilege

The MTSNAC is a U.S. Department of Transportation's (DOT) Federal advisory committee that makes recommendations on ways to improve the Marine Transportation System. The Committee's recently approved charter requires that membership be comprised of approximately 25 voting members deemed to reflect various stakeholders relevant to the U.S. marine transportation system. All members, be they Representative members, Special Government Employees or Regular Government Employees, are appointed as full members to MTSNAC with the same voting rights.



SELECTION PROCESS

The Maritime Administration published a Federal Register Notice on April 12, 2018, solicitation nominations for new membership. Existing membership was requested to communicate their desire for reappointment. Representatives from MARAD reviewed the application packages. The selection team made recommendations regarding membership to the Administrator based on the following criteria: (1) Professional or academic expertise, experience, and knowledge; (2) stakeholder representation; (3) availability and willingness to serve; and (4) relevant experience in working in committees and advisory panels. Candidates were evaluated with the goal of preserving industry representation, geographic, and human diversity on the Committee. Each candidate was also screened for their level of interest in Committee activities and likely programmatic contribution they can make. Selections were made without regard to race, color, religion, sex, national origin, age, mental or physical disability, marital status, or sexual orientation.

BACKGROUND

The MTSNAC was established by charter on May 19, 2010, pursuant to the Energy Independence and Security Act of 2007 (P.L. 110-140) and the Federal Advisory Committee Act, as amended (5 U.S.C., App. 2). The purpose of MTSNAC is to address matters relating to the U.S. marine transportation system and its seamless integration with other segments of the transportation system, including the viability of the U.S. merchant marine. The MTSNAC shall undertake information-gathering activities, develop technical advice and present recommendations to the Administrator on matters including, but not limited to, the following:

- 1. How to address impediments hindering effective use of short sea transportation, including the expansion of America's Marine Highways, as directed in 46 U.S.C. § 55603;
- 2. Approaches to improve waterborne transportation to reduce congestion and increase mobility throughout the domestic transportation system;
- 3. Methods to expand the capacity and productivity of America's gateway ports to accommodate larger vessels and increase the velocity of cargo through those ports;
- 4. Ways to strengthen maritime capabilities essential to economic and national security, including the strategic sealift capabilities of our Nation;
- 5. Capabilities needed to modernize the maritime workforce and inspire and educate the next generation of mariners;
- 6. How to minimize environmental and community impacts of water transportation;
- 7. Encourage continued innovation in the maritime sector; and,
- Actions MARAD can take to meet its mission to foster, promote, and develop the
 maritime industry of the United States to meet the economic and security needs of the
 Nation.

Since its inception, MTSNAC has identified several insightful and practical actions that the Department can take to better integrate waterborne transportation into the Nation's overall transportation system. The Committee's work will be aligned to the Agency's mission and



guiding principle documents, such as the Maritime Administration Strategic Plan and the draft National Maritime Transportation Strategy. Further, MTSNAC will now make recommendations to the Secretary of Transportation on areas related to the former Port Performance Freight Statistics Working Group. The Committee will also make recommendations on matters related to port performance measures, standards for port data and port performance measures, statistics for measuring port capacity and throughput, and developing processes to collect timely and consistent data.

MARAD has no other advisory committee with these responsibilities. The seamless appointment and/or re-appointment of the membership is critical to the functioning of MTSNAC.

RECOMMENDATION

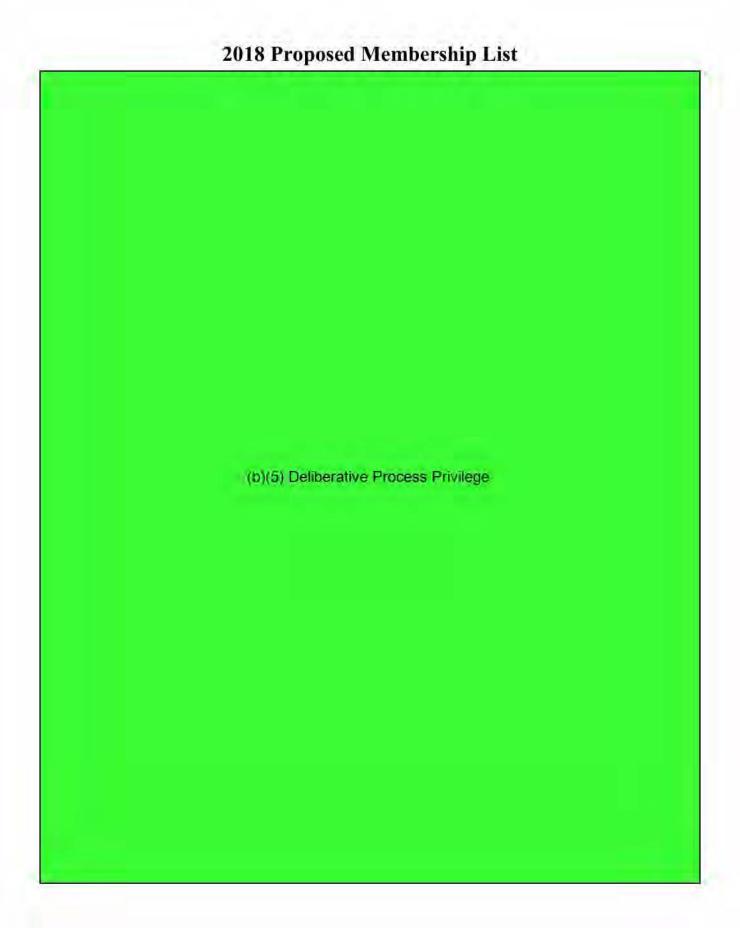
MARAD recommends that the Secretary approve the appointment and/or re-appointment of members to MTSNAC and sign the attached letters to the appointees.

Attachments:

- List of Proposed Members
- Biographies
- Appointment / Re-Appointment Letters
- Draft MTSNAC Charter
- Balance Plan
- Current MTSNAC Membership Roster
- List of Non-Selectees

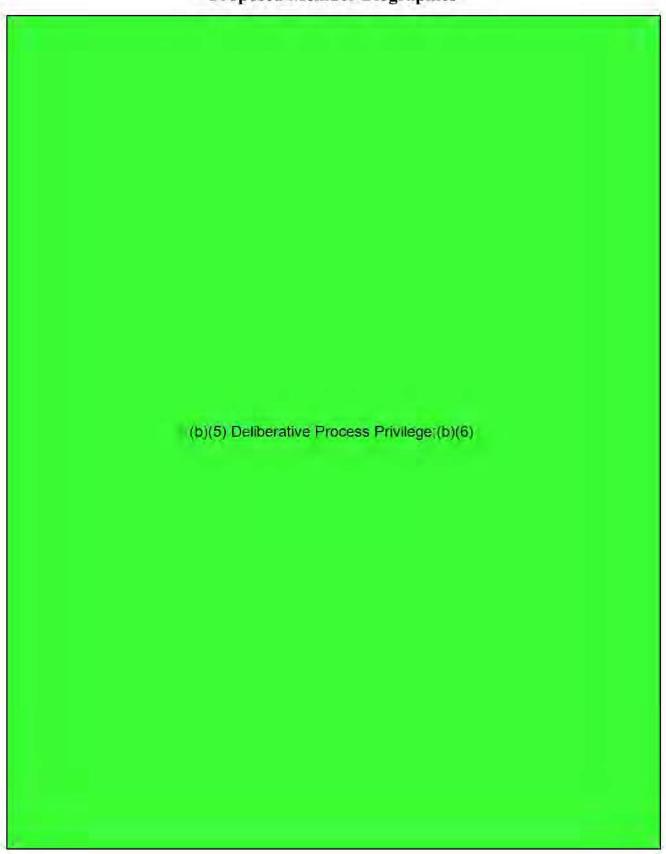
The Secretary	
APPROVED:	,
DISAPPROVED:	
COMMENTS:	
DATE:	



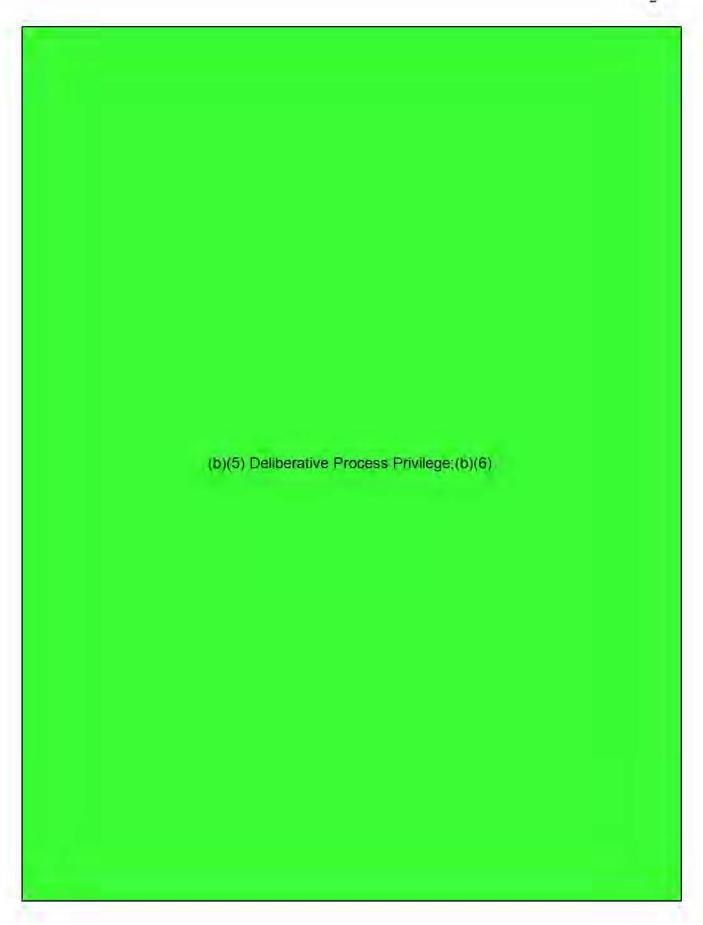




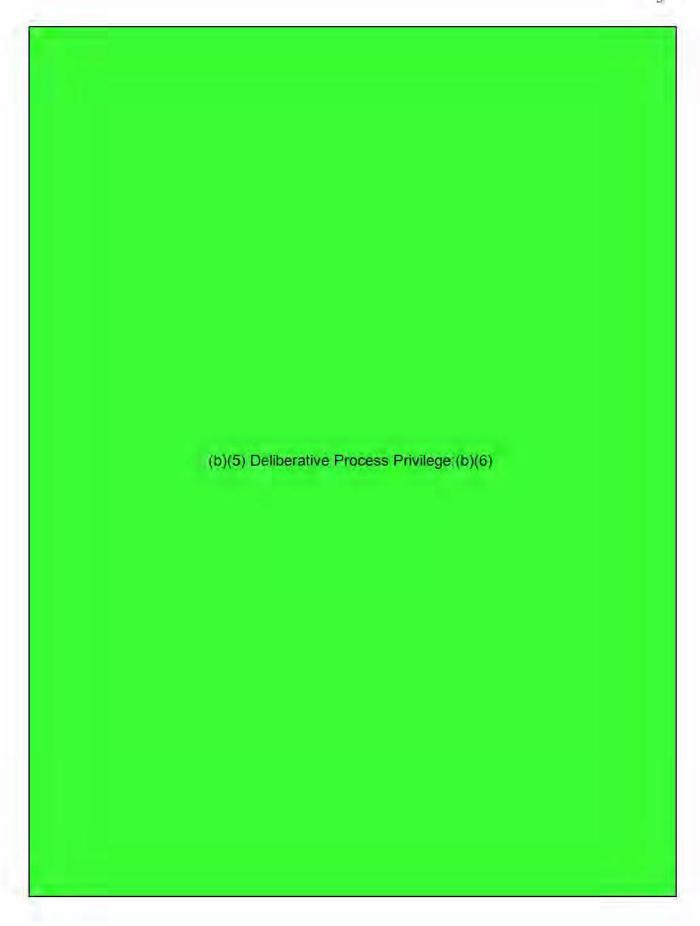
Proposed Member Biographies



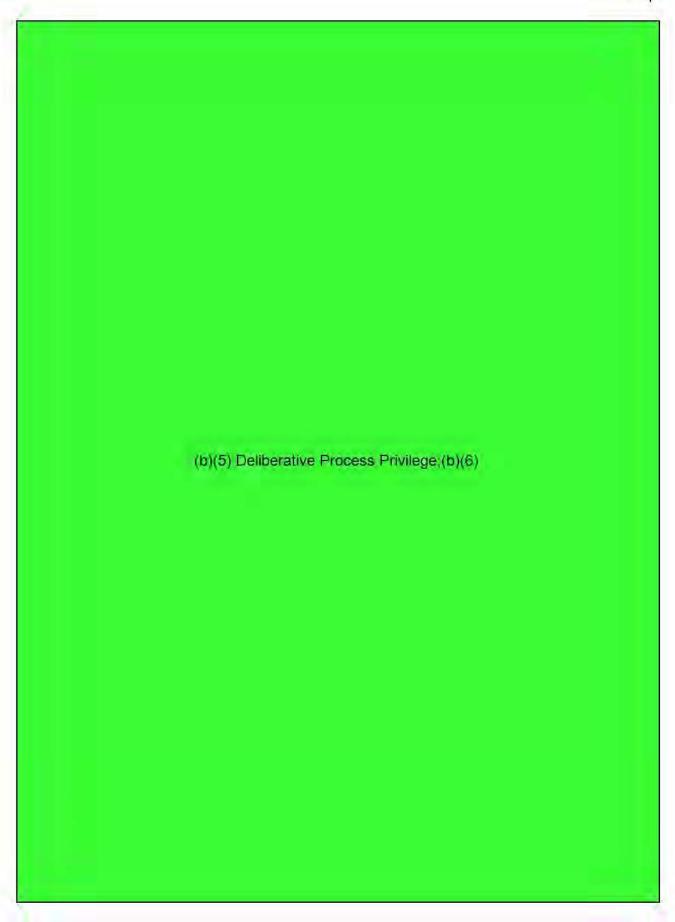




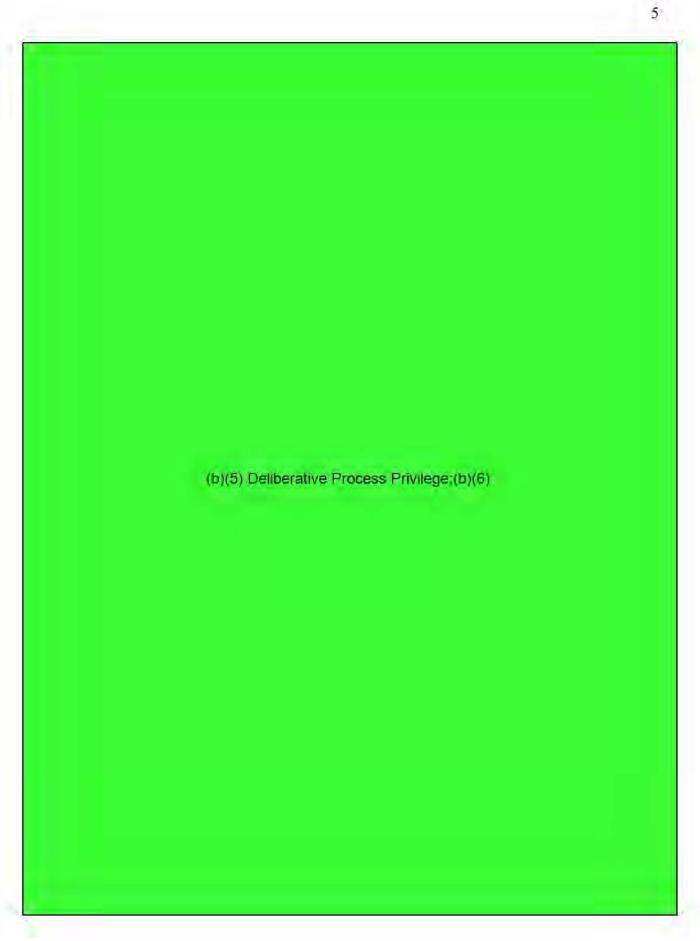




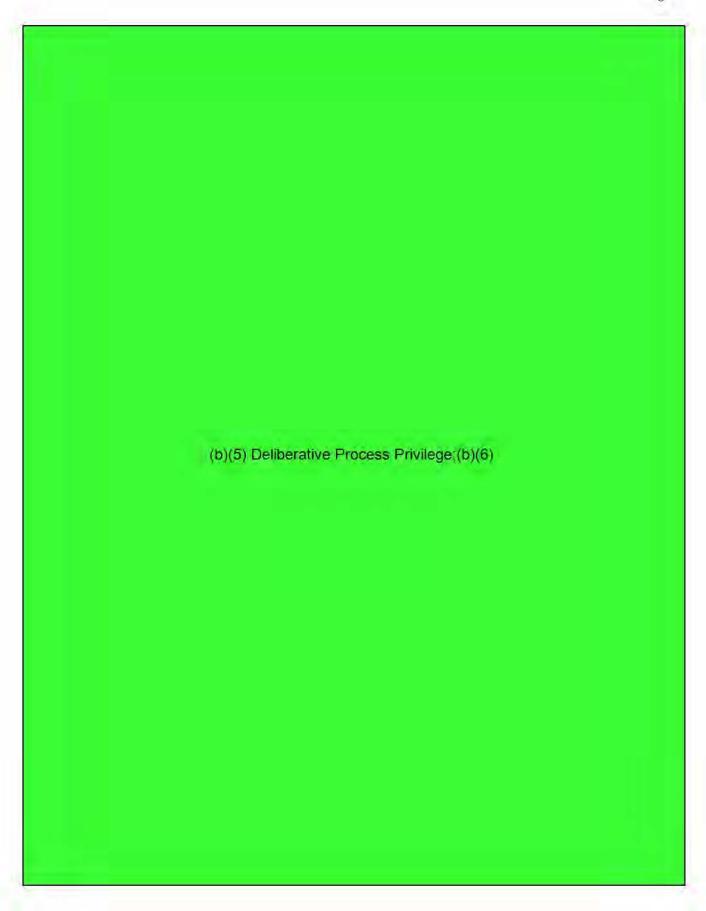








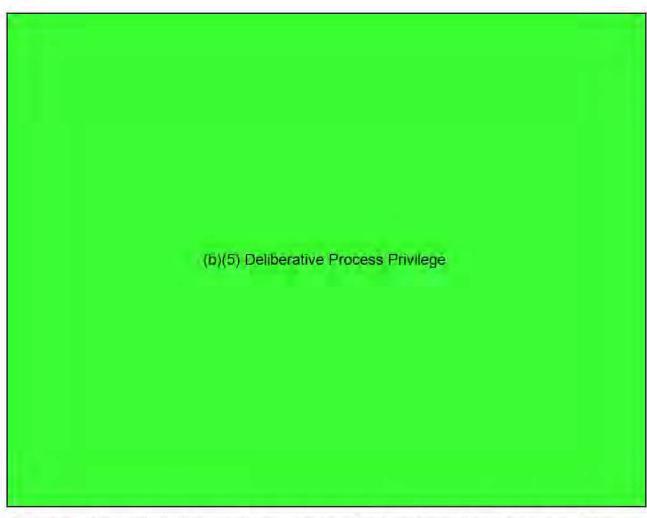






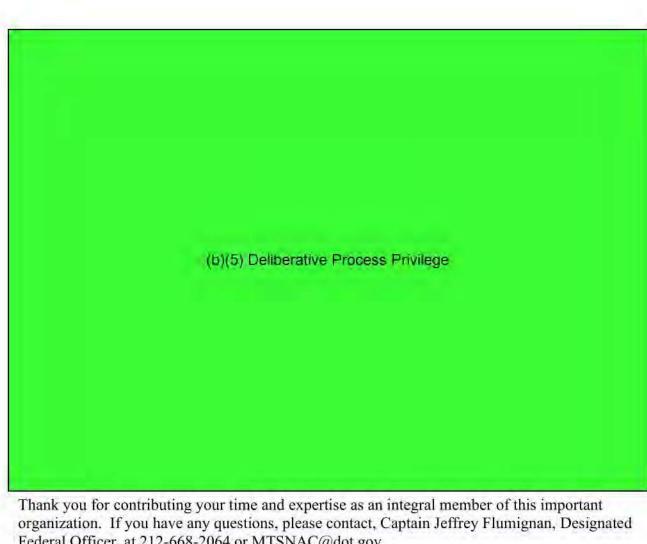
(b)(5) Deliberative Process Privilege;(b)(6)





Sincerely,





Federal Officer, at 212-668-2064 or MTSNAC@dot.gov.

Sincerely,





Thank you for continuing to contribute your time and expertise as an integral member of this important organization. I wish you a successful term and look forward to the accomplishments ahead for the Maritime Transportation System National Advisory Committee. If you have any questions, please contact, Captain Jeffrey Flumignan, Designated Federal Officer, at 212-668-2064 or MTSNAC@dot.gov.

Sincerely,





Sincerely,

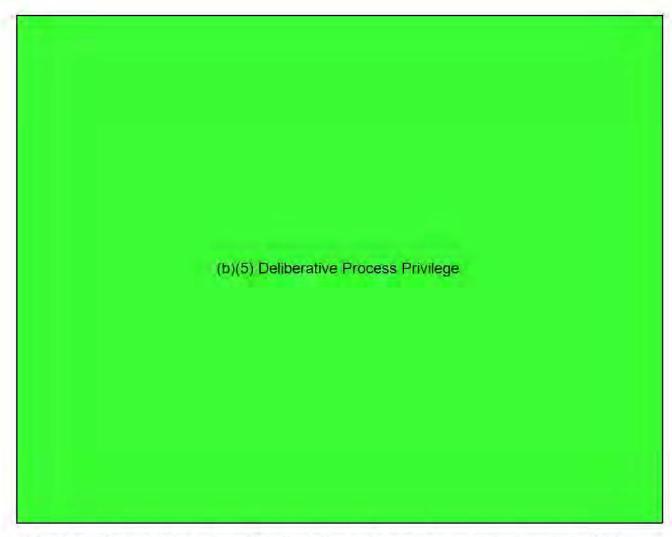




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Sincerely,









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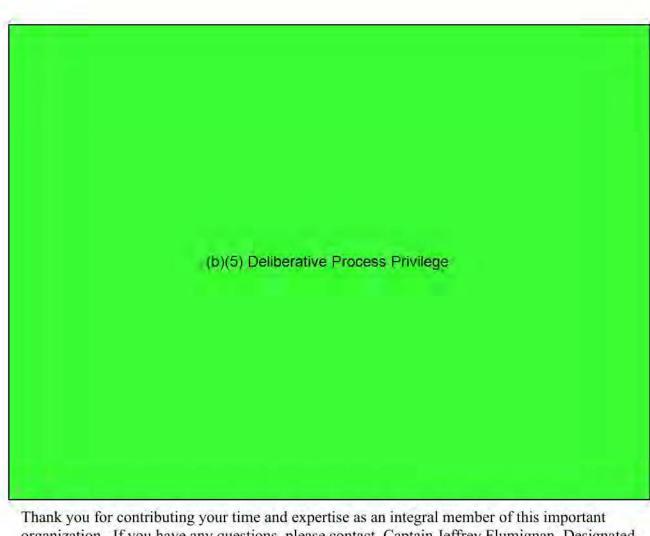
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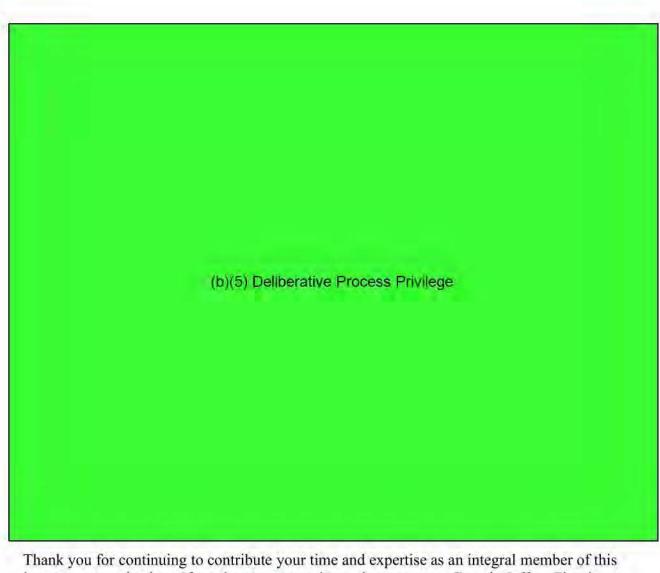




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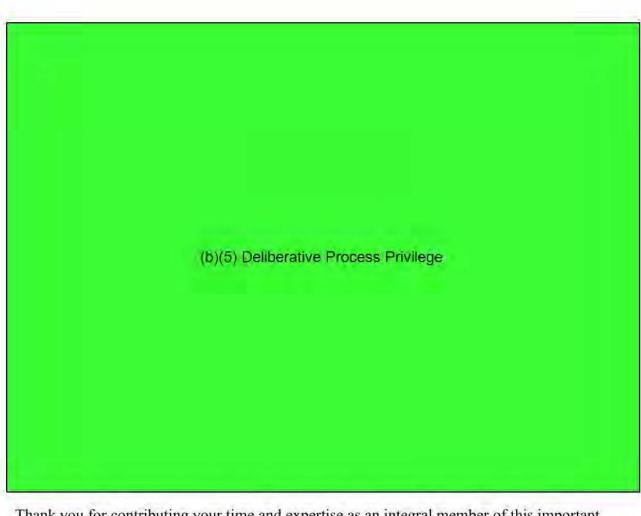
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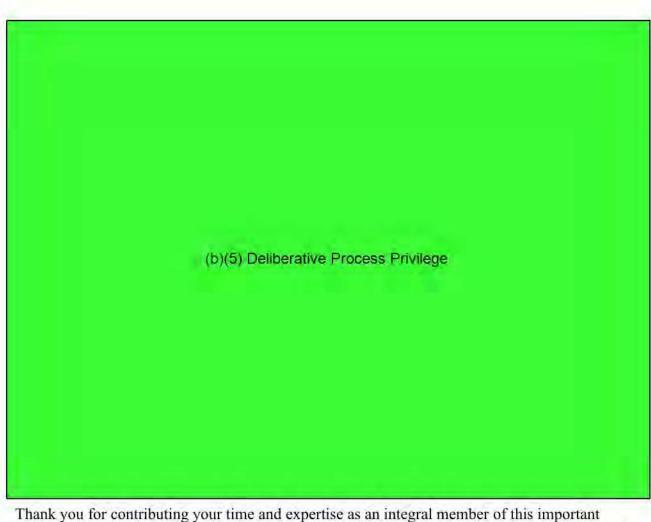
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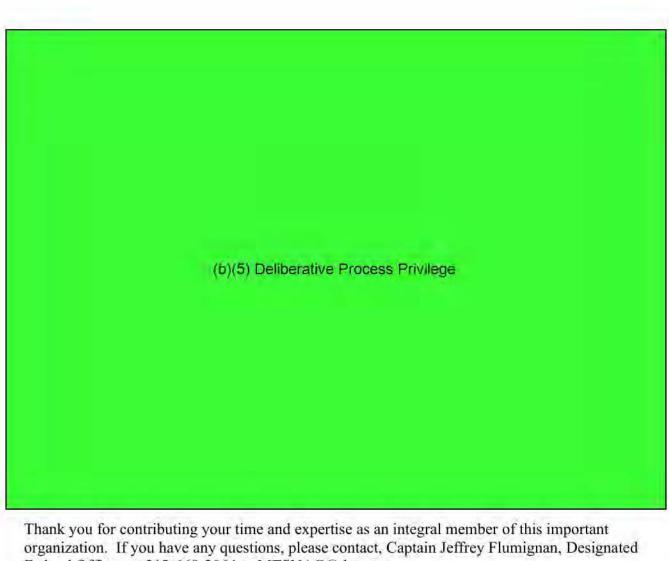
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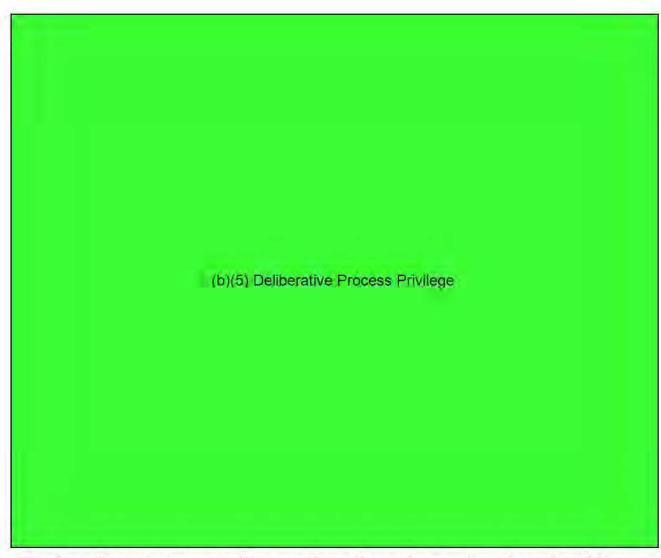




Federal Officer, at 212-668-2064 or MTSNAC@dot.gov.

Sincerely,





Sincerely,





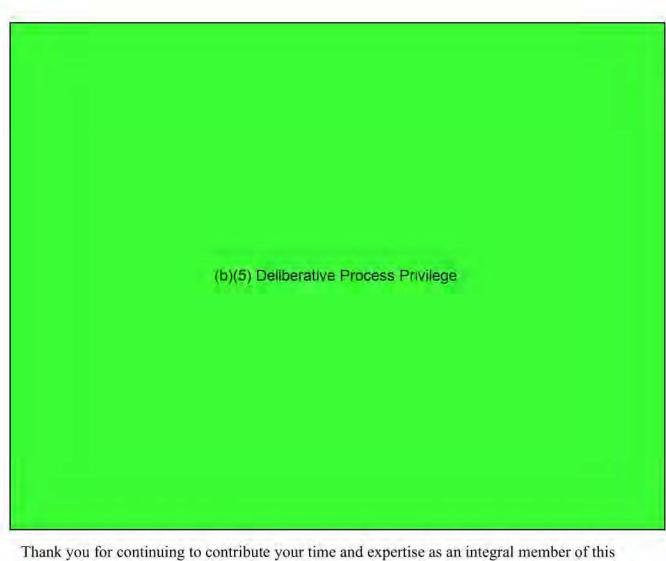
Sincerely,





Sincerely,





Sincerely,





Sincerely,







U.S. DEPARTMENT OF TRANSPORTATION - MARITIME ADMINISTRATION Charter for the

U.S. MARITIME TRANSPORTATION SYSTEM NATIONAL ADVISORY COMMITTEE

- 1. COMMITTEE'S OFFICIAL DESIGNATION: The Committee shall be known as the U.S. Maritime Transportation System National Advisory Committee (MTSNAC or Committee).
- 2. AUTHORITY: The Committee is established pursuant to section 55603 of Title 46, and in accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2. The Secretary of Transportation delegated to the Maritime Administrator authority to carry out functions related to the MTSNAC under 49 CFR § 1.93(a). The MTSNAC is in the public interest and supports the Maritime Administration (MARAD) in performing its duties and responsibilities.
- 3. OBJECTIVES AND SCOPE OF ACTIVITIES: The objective of this Committee is to identify and seek solutions to impediments hindering effective use of short sea transportation. The Committee will provide information, advice, and recommendations to the U.S. Secretary of Transportation (Secretary), through the Maritime Administrator (Administrator), on matters relating to the U.S. maritime transportation system and its seamless integration with other segments of the transportation system, including the viability of the U.S. Merchant Marine. The Committee will not exercise program management responsibilities and will make no decisions directly affecting the programs on which it provides advice; decisions directly affecting implementation of maritime policy will remain with the Administrator.

The Administrator will use the advice, information, and recommendations generated by the MTSNAC for an array of policy deliberations and for interagency discussions on the implementation of a National Maritime Transportation Strategy. The Secretary and Administrator may accept or reject a recommendation made by the MTSNAC and are not bound to pursue any recommendation from the MTSNAC. In the exercise of his or her discretion, the Secretary, Administrator, or his or her designee, may withdraw a task being considered by the MTSNAC at any time.

- 4. DESCRIPTION OF DUTIES: The MTSNAC shall undertake information-gathering activities, develop technical advice and present recommendations to the Administrator on matters including but not limited to the following:
 - a. How to address impediments hindering effective use of short sea transportation, including the expansion of America's Marine Highways, as directed in 46 U.S.C. § 55603;
 - b. Approaches to improve waterborne transportation to reduce congestion and increase mobility throughout the domestic transportation system;
 - c. Methods to expand the capacity and productivity of America's gateway ports to accommodate larger vessels and increase the velocity of cargo through those ports;
 - d. Ways to strengthen maritime capabilities essential to economic and national security, including the strategic sealift capabilities of our Nation;



- e. Capabilities needed to modernize the maritime workforce and inspire and educate the next generation of mariners;
- f. How to minimize environmental and community impacts of water transportation;
- g. Encourage continued innovation in the maritime sector; and,
- h. Actions MARAD can take to meet its mission to foster, promote, and develop the maritime industry of the United States to meet the economic and security needs of the Nation.
- 5. AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS: The Committee reports to the Administrator.
- 6. SUPPORT: MARAD will provide administrative and technical support to the Committee.
- 7. ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS: Annual administrative operating costs are estimated at \$220,000, including the equivalent of one Federal full-time equivalent (FTE).
- 8. DESIGNATED FEDERAL OFFICER: The Administrator shall designate a full-time or permanent part-time MARAD employee to serve as the DFO for the MTSNAC, as well as any alternate DFOs to support the Committee.
- 9. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS: The Committee will be expected to meet at least three times per fiscal year.
- 10. DURATION: Continuing
- 11. TERMINATION: This charter shall terminate 2 years after its effective date unless renewed in accordance with FACA and other applicable requirements.
- 12. MEMBERSHIP AND DESIGNATION: The Committee will be comprised of approximately 25 voting members who will represent points of view held by organizations, associations, or classes of individuals relevant to the U.S. marine transportation system. Individual members and not their organizations are appointed to the Committee. The Maritime Administrator will seek a membership that is fairly balanced in terms of points of view of the affected interests.

Pursuant to 46 U.S.C. § 55603, MTSNAC membership will include a representative of the Environmental Protection Agency, other Federal entities, state and local entities, and private sector entities. The Federal entities may include the Department of Commerce, U.S. Army Corps of Engineers, U.S. Coast Guard, and U.S. Customs and Border Protection. The Secretary may appoint additional representatives from other Federal Agencies as deemed appropriate.

Non-Federal members will serve as Special Government Employees or Representative members. Members appointed solely for their personal expertise will serve as Special Government Employees. The Committee shall include representatives of State and local governmental entities as well as private sector entities that reflect a cross-section of maritime industries, including port and water stakeholders, in addition to representatives from academia and labor.



Committee members will serve 2-year terms, with no more than two consecutive term reappointments, and approximately one-third of members' terms of office shall expire every 2 years. All members are appointed by, and serve at the pleasure of, the Secretary of Transportation. Terms may be staggered by the Administrator to establish continuity among the membership in subsequent years. Members shall continue to serve until their replacement has been appointed. Completion of terms beyond 2 years is contingent upon the renewal of the Committee's charter.

In the event of a mid-term vacancy on the MTSNAC, a replacement member may be appointed by the Secretary. A member appointed to fill a mid-term vacancy shall serve the remainder of the term, and the appointment may be extended into the next term at the discretion of the Secretary.

Members of the MTSNAC serve without compensation. While engaged in the work of the MTSNAC, all members may be allowed reasonable travel, subsistence, and other necessary expenses, including per diem in lieu of subsistence, in accordance with the rates and rules set under the Federal Travel Regulations.

- 13. SUBCOMMITTEES: The Administrator or DFO may create subcommittees or work groups. All subcommittees and work groups shall report their recommendations and advice to the full MTSNAC for deliberation and discussion.
- 14. RECORDKEEPING: The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. § 552, the Committee's documents shall be available for public inspection and copying at a single location in the offices of the Committee sponsor until the Committee ceases to exist.
- 15. FILING DATE: The filing date of this charter is [Month, Date], 2018. If not renewed, this charter will expire on [Month, Date], 2020.



Federal Advisory Committee (FAC) Membership Balance Plan

Please read the Federal Advisory Committee Membership Balance Plan Guidance prior to completing this form

(1) FEDERAL ADVISORY COMMITTEE NAME:

U.S. Maritime Transportation System National Advisory Committee (MTSNAC)

(2) Authority:

- a. The Committee is constituted pursuant to section 55603 of Title 46 U.S.C., and in accordance with the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.
- b. The Secretary of Transportation delegated to the Maritime Administrator authority under 49 CFR § 1.93(a).

(3) Mission/Function:

The objective of this Committee is to identify and seek solutions to impediments hindering effective use of short sea transportation. The Committee will provide information, advice, and recommendations to the U.S. Secretary of Transportation (Secretary), through the Maritime Administrator (Administrator), on matters relating to the U.S. maritime transportation system and its seamless integration with other segments of the transportation system, including the viability of the U.S. Merchant Marine. The Committee will not exercise program management responsibilities and will make no decisions directly affecting the programs on which it provides advice; decisions directly affecting implementation of maritime policy will remain with the Administrator. The Administrator will use the advice, information, and recommendations generated by the MTSNAC for an array of policy deliberations and for interagency discussions on the implementation of a National Maritime Transportation Strategy. It is at the discretion of the Administrator to present any recommendation of the MTSNAC to the Secretary. The Secretary and Administrator may accept or reject a recommendation made by the



MTSNAC and are not bound to pursue any recommendation from the MTSNAC. In the exercise of his or her discretion, the Secretary, Administrator, or his or her designee, may withdraw a task being considered by the MTSNAC at any time.

(4) Points of View:

The committee will have approximately 25 voting members who reflect various perspectives of the marine transportation system. The primary areas of marine transportation system represented by MTSNAC include: (1) industry, such as ship-owners and operators, ports and terminals, shipyards, freight forwarders, beneficial cargo owners, etc.; (2) regional representation across the Nation; (3) relevant policy areas such as supply chain, goods movement, infrastructure financing; and, (4) customers, stakeholders, and providers. Consistent with 46 U.S.C. § 55603, the Committee will include representatives of the Environmental Protection Agency and other Federal, State, and local governmental entities and private sector entities. Non-federal members may be selected to serve as Representatives or Special Government Employees (SGEs). Determinations to appoint individuals as SGEs or Representatives will be based on whether the individual would be appointed solely for his or her expertise.

(5) Other balance Factors

To the extent practicable, MARAD will seek to ensure balance by appointing individuals who represent labor, academic or research institutions, other Federal, State, and Local government agencies.

(6) Candidate Identification Process:

A selection team comprised of representatives from MARAD will review the application packages. The selection team will make recommendations regarding membership to the Administrator based on the following criteria: (1) Professional or academic expertise, experience, and knowledge; (2) stakeholder representation; (3) availability and willingness to serve; and (4) relevant experience in working in committees and advisory panels. Nominations are open to all individuals without regard to race, color, religion, sex, national origin, age, mental or physical disability, marital status, or sexual orientation. The Maritime Administrator will identify individuals with various kinds of expertise, experience, and perspectives on the marine transportation system. Potential members of the Committee are reviewed by the staff of the Office of Ports & Waterways, Strategic Sealift and the Office of Chief Counsel.



The candidate's biographical information is assessed with regard to the criteria noted in paragraphs 4 and 5 above. Staff recommendations are forwarded to the Administrator and ultimately the Secretary for selection. Committee members will serve 2-year terms, with no more than two consecutive term reappointments, and approximately one-third of members' terms of office shall expire every 2 years. Each applicant's information is retained in case a mid-term vacancy should arise.

(7) Subcommittee Balance:

Once subcommittees are formed, the Maritime Administration's Office of Ports & Waterways will apply the criteria appropriate to the responsibilities of each subcommittee.

(8) Other:

N/A

(9) Date prepared/updated:

Dated as per the Charter



Membership Roster 2016-2018

1. Mr. Gary Adams Walmart Stores Inc. 2. Mr. John Baker International Longshoremen's Association 3. Mr. Richard Berkowitz Transportation Institute Mr. Robert Berry International Shipbreaking Limited, LLC 4 5. Mr. Gary Brown Genesee and Wyoming - Coastal Region Ms. Molly Campbell Port Authority of New York and New Jersey 6. 7. Mr. Vanta Coda II **Duluth Seaway Port Authorities** 8. Port of Hueneme Ms. Kristin Decas 9. Mr. Gregory Faust Washington State Ferries 10. Mr. Peter Ford Ports America 11. Mr. John Graykowski Maritime Industry Consultants Great Lakes Dredge and Dock Company, LLC 12. Mr. Bill Hanson 13. Mr. Daniel Harmon Texas Department of Transportation 14. Ms. Susan Hayman Foss Maritime Company 15. Mr. Jared Henry Hapag-Lloyd USA, LLC **Hasbro Corporation** Mr. Tim Hinckley 16. Captain Jim Jenkins, USCG 17. U.S. Coast Guard 18. Captain Lynn Korwatch Marine Exchange of the San Francisco Bay Region 19. Mr. Jim Kruse Texas A&M Transportation Institute 20. Mr. Gary LaGrange Port of New Orleans 21. Mr. Mark Locker Ohio Department of Transportation 22. FAPS, Inc. Mr. Gary Love 23. Mr. Griff Lynch Georgia Ports Authority 24. Mr. James Lyons Alabama State Port Authority 25. Maritime Transportation System Advisory Comm. Mr. Mike Mabry 26. Mr. Jim Pelliccio Port Newark Container Terminal 27. Mr. William Pennella Crowley Maritime Corporation 28. Mr. Torey Presti National Shipping Agencies, Inc. Virginia Port Authority 29. Mr. John Reinhart Saybrook Corporate Opportunity Funds 30. Mr. Jonathan Rosenthal 31. Port of Los Angeles Mr. Gene Seroka 32. Illinois Soybean Association (c/o FLM Harvest) Mr. Scott Sigman Mr. Karl Simon U.S. Environmental Protection Agency 33. North Jersey Transportation Planning Authority Ms. Anne Strauss-Weider 34. 35. Captain Richard Suttie Center for Homeland Security and Defense 36. Mr. John Townsend Honeywell Technology Solutions, Inc. U.S. Exporters Competitive Maritime Council 37. Ms. Margaret Vaughan Dr. Thomas Wakeman, Stevens Institute of Technology 38. Liberty Global Logistics, LLC 39. Mr. Robert Wellner General Dynamics-NASSCO 40 Mr. Thomas Wetherald



41.

42.

Ms. Lisa Wieland

Mr. Brian Wright

Massachusetts Port Authority

Owensboro Riverport Authority

Applicants - Not Selected (b)(5) Deliberative Process Privilege;(b)(6)



 From:
 Balzano, Richard (MARAD)

 Sent:
 22 Oct 2018 20:14:04 +0000

To: Brand, Lauren (MARAD); Flumignan, Jeffrey (MARAD)

Cc: Bond, Richard (MARAD)

Subject: MTSNAC

Attachments: Membership Appointments for the Maritime Transportation System National

Advisory Committee S10-180716-123_D6 (DB edits).docx

Lauren, Jeff,

Please see the revised membership list. Now we need to resubmit the package and process it through OST.

I have the original red folder in my office if someone wants to grab it.

R/

Deputy Maritime Administration

Office: 202-366-5823



ACTION MEMORANDUM TO THE SECRETARY

From: Mark H. Buzby

Maritime Administrator

x61719

Prepared by: Lauren Brand

Associate Administrator for Ports and Waterways

x67057

Subject: Membership Appointments for the Maritime Transportation System

National Advisory Committee

ACTION REQUIRED

The Maritime Administration (MARAD) request that the Secretary approve the appointment and/or re-appointment of the membership to the U.S. Maritime Transportation System National Advisory Committee (MTSNAC) to ensure that MTSNAC continues to have adequate representation and expertise to assist MARAD achieve its mission.

SUMMARY

(b)(5) Deliberative Process Privilege

The MTSNAC is a U.S. Department of Transportation's (DOT) Federal advisory committee that makes recommendations on ways to improve the Marine Transportation System. The Committee's recently approved charter requires that membership be comprised of approximately 25 voting members deemed to reflect various stakeholders relevant to the U.S. marine transportation system. All members, be they Representative members, Special Government Employees or Regular Government Employees, are appointed as full members to MTSNAC with the same voting rights.



SELECTION PROCESS

The Maritime Administration published a Federal Register Notice on April 12, 2018, solicitation nominations for new membership. Existing membership was requested to communicate their desire for reappointment. Representatives from MARAD reviewed the application packages. The selection team made recommendations regarding membership to the Administrator based on the following criteria: (1) Professional or academic expertise, experience, and knowledge; (2) stakeholder representation; (3) availability and willingness to serve; and (4) relevant experience in working in committees and advisory panels. Candidates were evaluated with the goal of preserving industry representation, geographic, and human diversity on the Committee. Each candidate was also screened for their level of interest in Committee activities and likely programmatic contribution they can make. Selections were made without regard to race, color, religion, sex, national origin, age, mental or physical disability, marital status, or sexual orientation.

BACKGROUND

The MTSNAC was established by charter on May 19, 2010, pursuant to the Energy Independence and Security Act of 2007 (P.L. 110-140) and the Federal Advisory Committee Act, as amended (5 U.S.C., App. 2). The purpose of MTSNAC is to address matters relating to the U.S. marine transportation system and its seamless integration with other segments of the transportation system, including the viability of the U.S. merchant marine. The MTSNAC shall undertake information-gathering activities, develop technical advice and present recommendations to the Administrator on matters including, but not limited to, the following:

- 1. How to address impediments hindering effective use of short sea transportation, including the expansion of America's Marine Highways, as directed in 46 U.S.C. § 55603;
- 2. Approaches to improve waterborne transportation to reduce congestion and increase mobility throughout the domestic transportation system;
- 3. Methods to expand the capacity and productivity of America's gateway ports to accommodate larger vessels and increase the velocity of cargo through those ports;
- 4. Ways to strengthen maritime capabilities essential to economic and national security, including the strategic sealift capabilities of our Nation;
- 5. Capabilities needed to modernize the maritime workforce and inspire and educate the next generation of mariners;
- 6. How to minimize environmental and community impacts of water transportation;
- 7. Encourage continued innovation in the maritime sector; and,
- 8. Actions MARAD can take to meet its mission to foster, promote, and develop the maritime industry of the United States to meet the economic and security needs of the Nation.

Since its inception, MTSNAC has identified several insightful and practical actions that the Department can take to better integrate waterborne transportation into the Nation's overall transportation system. The Committee's work will be aligned to the Agency's mission and



guiding principle documents, such as the Maritime Administration Strategic Plan and the draft National Maritime Transportation Strategy. Further, MTSNAC will now make recommendations to the Secretary of Transportation on areas related to the former Port Performance Freight Statistics Working Group. The Committee will also make recommendations on matters related to port performance measures, standards for port data and port performance measures, statistics for measuring port capacity and throughput, and developing processes to collect timely and consistent data.

MARAD has no other advisory committee with these responsibilities. The seamless appointment and/or re-appointment of the membership is critical to the functioning of MTSNAC.

RECOMMENDATION

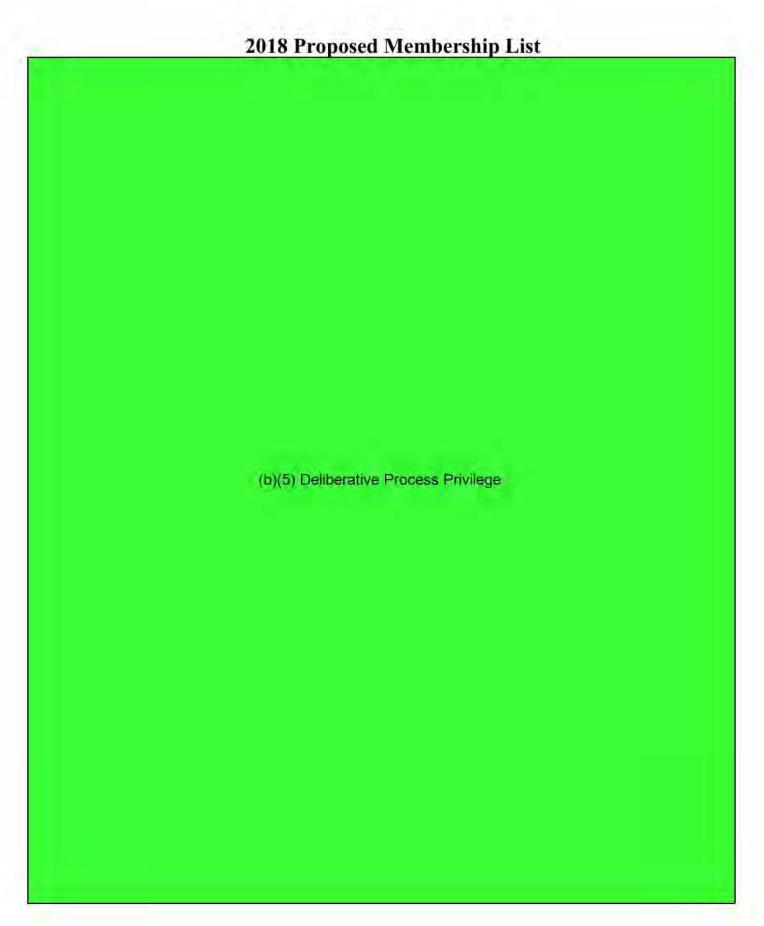
MARAD recommends that the Secretary approve the appointment and/or re-appointment of members to MTSNAC and sign the attached letters to the appointees.

Attachments:

- List of Proposed Members
- Biographies
- Appointment / Re-Appointment Letters
- Draft MTSNAC Charter
- Balance Plan
- Current MTSNAC Membership Roster
- List of Non-Selectees

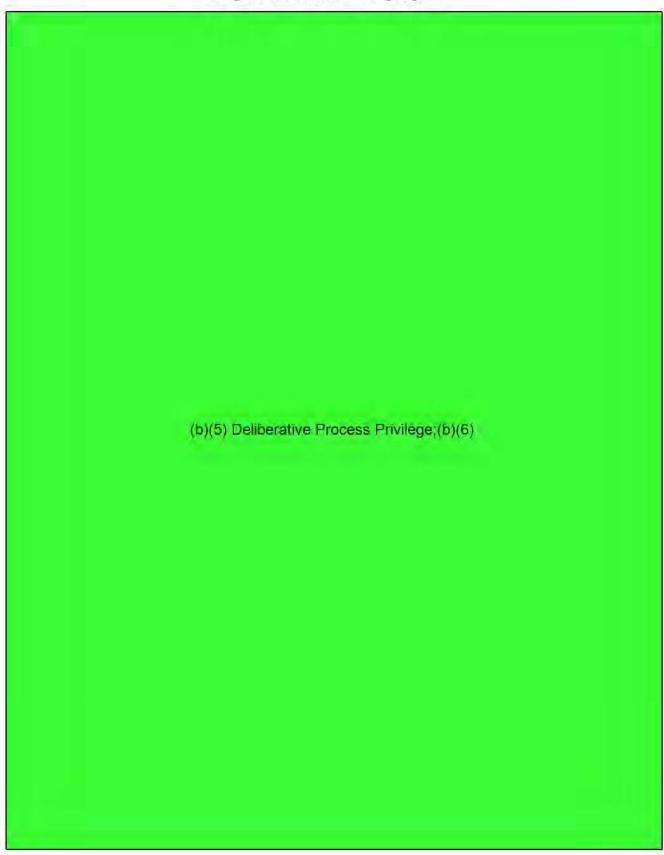
The Secretary	
APPROVED:	
DISAPPROVED:	
COMMENTS:	
DATE:	







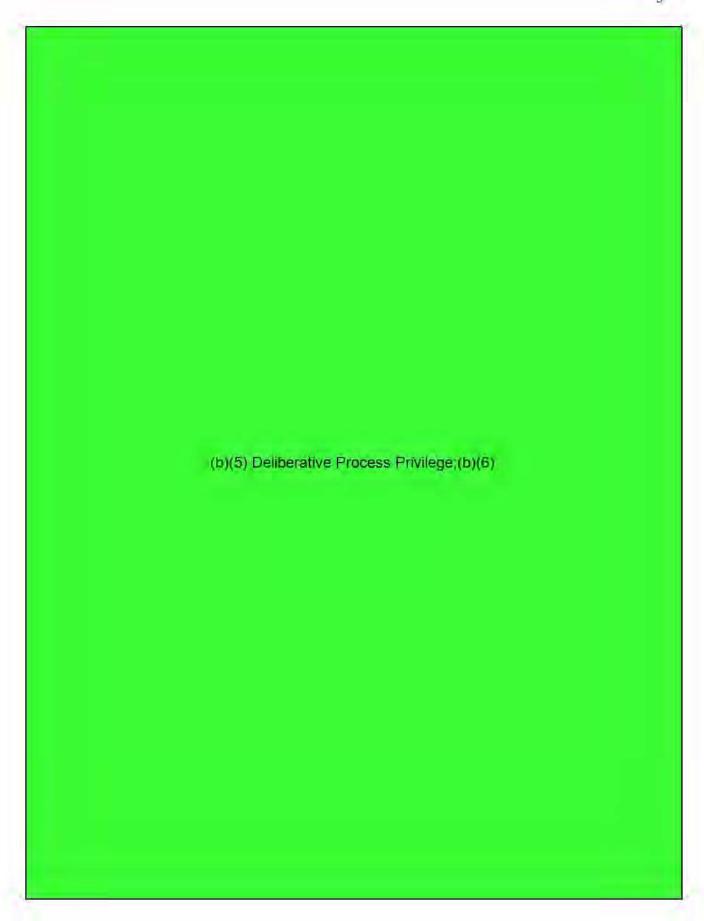
Proposed Member Biographies



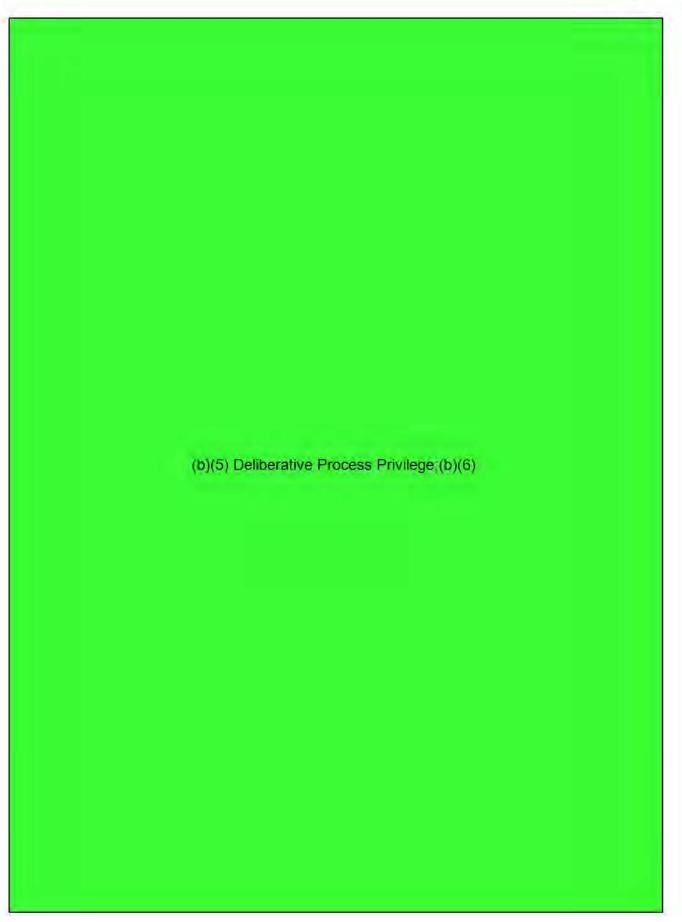




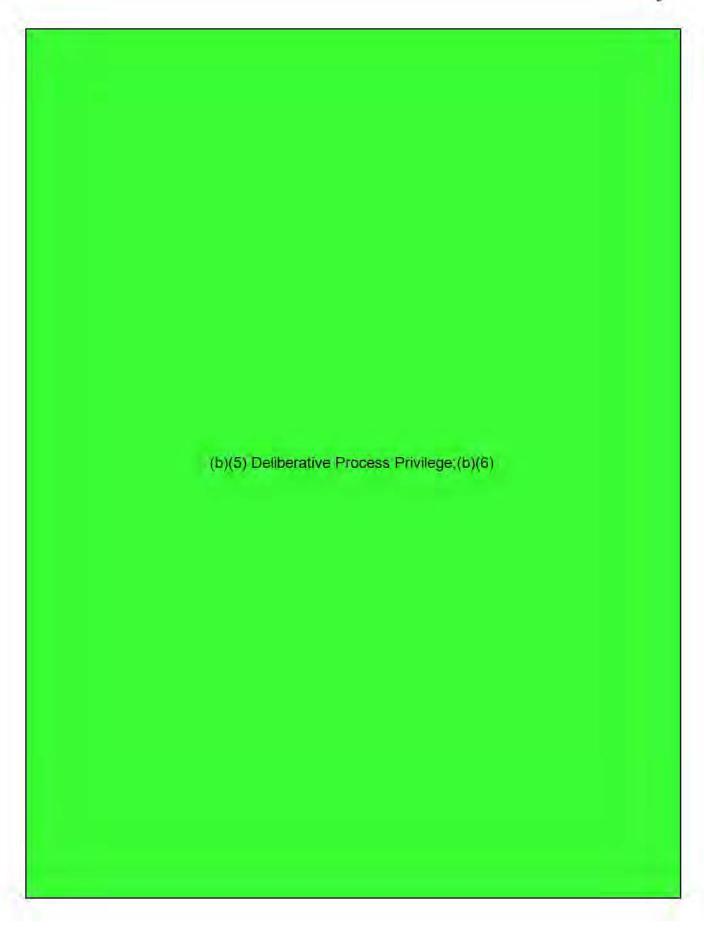




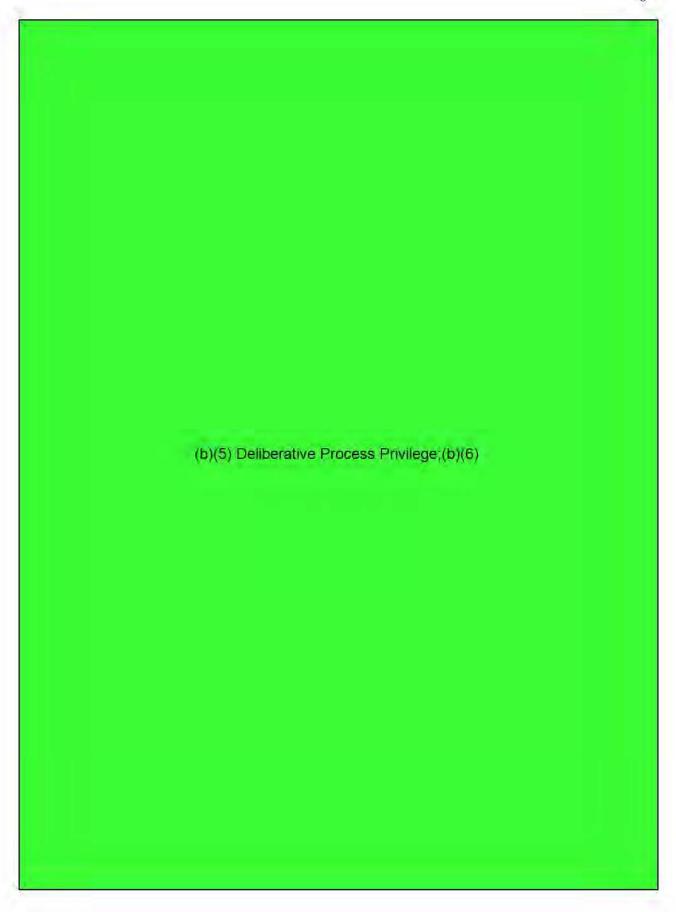














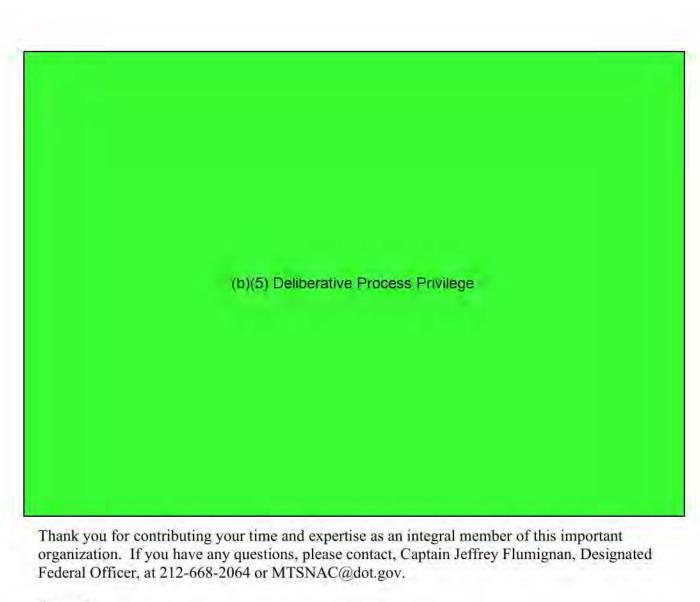
(b)(5) Deliberative Process Privilege;(b)(6)





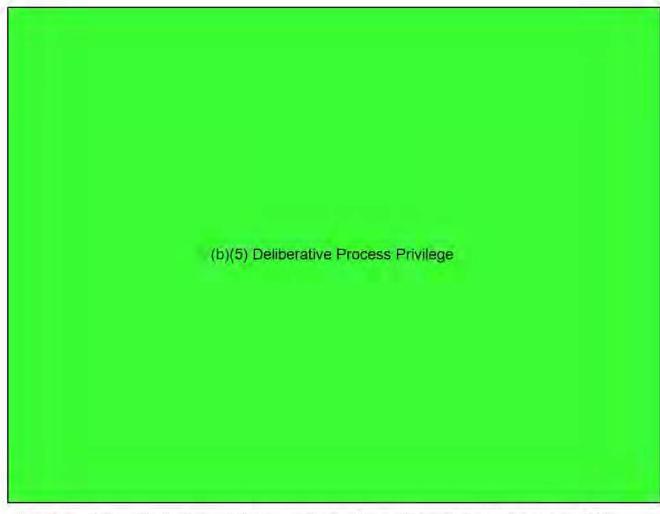
Sincerely,





Sincerely,

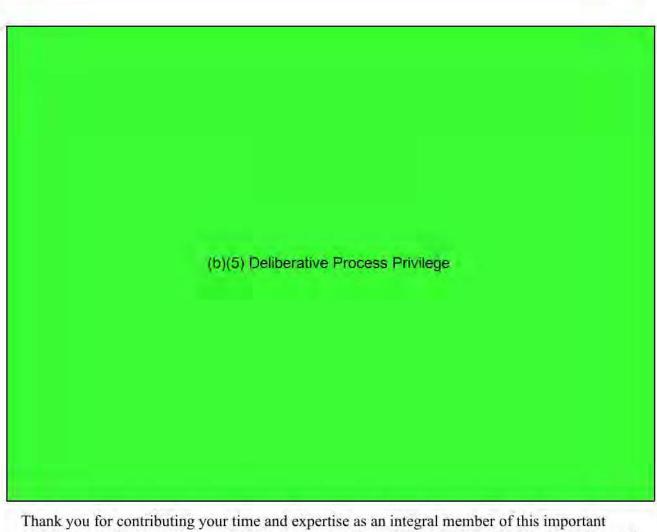




Thank you for continuing to contribute your time and expertise as an integral member of this important organization. I wish you a successful term and look forward to the accomplishments ahead for the Maritime Transportation System National Advisory Committee. If you have any questions, please contact, Captain Jeffrey Flumignan, Designated Federal Officer, at 212-668-2064 or MTSNAC@dot.gov.

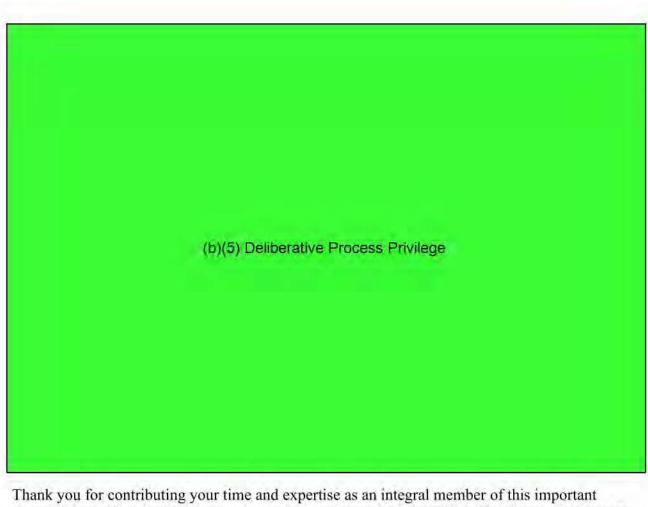
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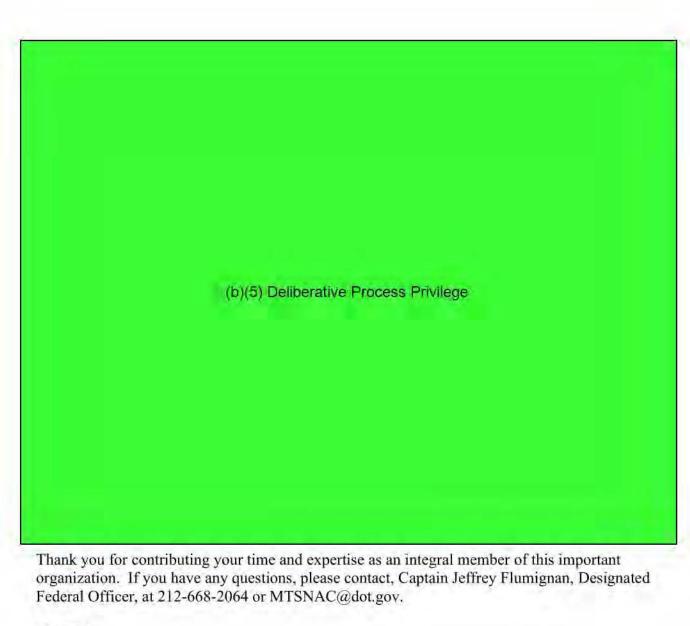






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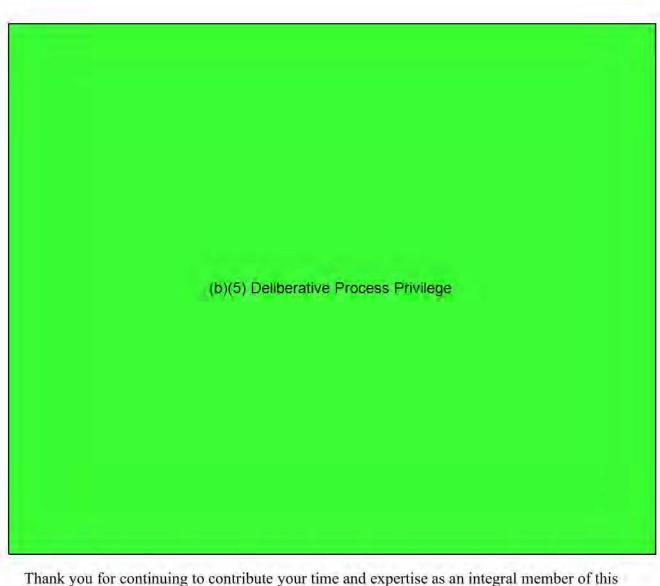
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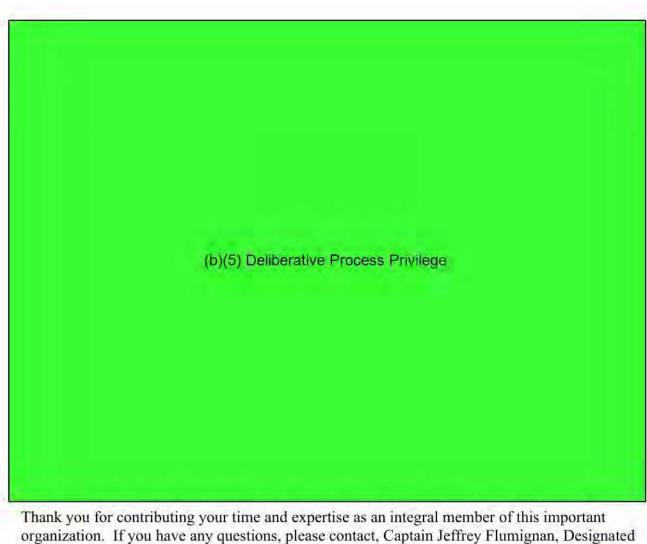


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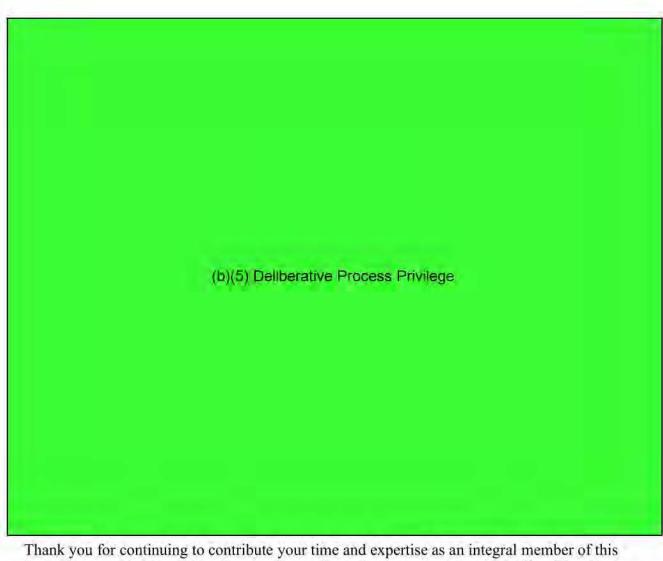




Federal Officer, at 212-668-2064 or MTSNAC@dot.gov.

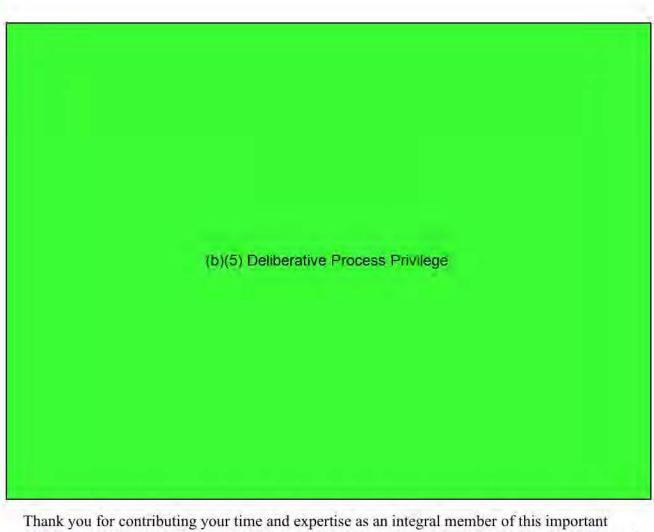
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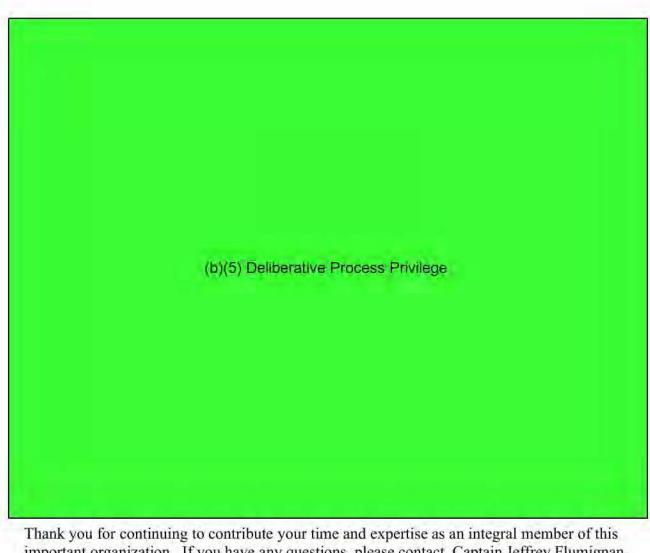
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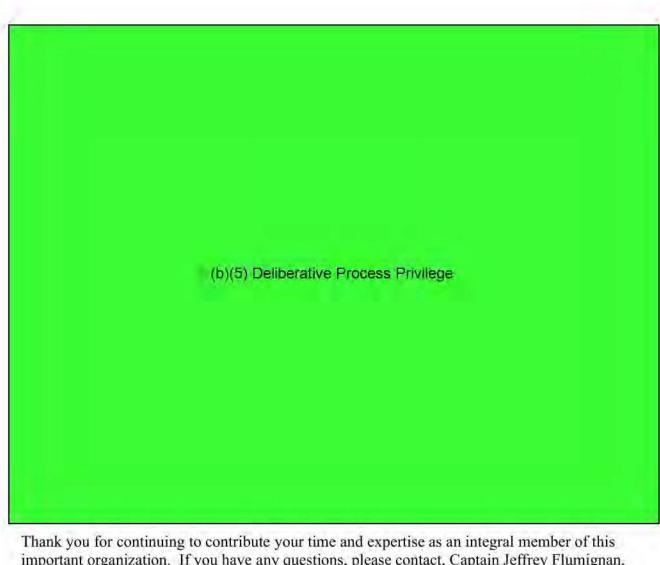
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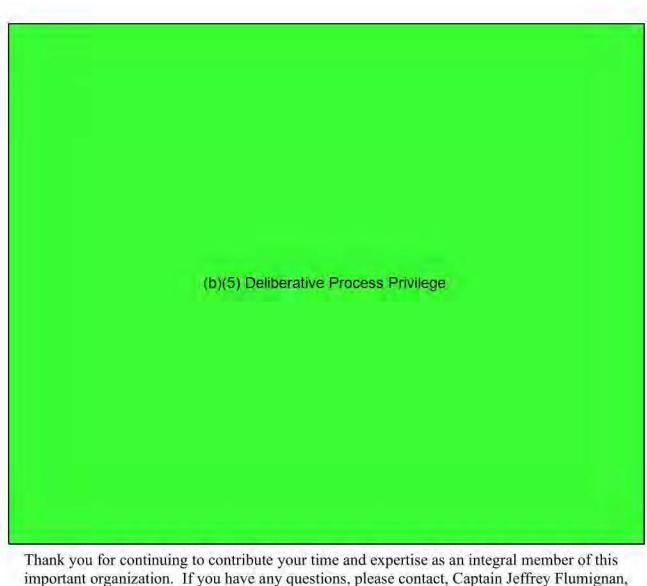
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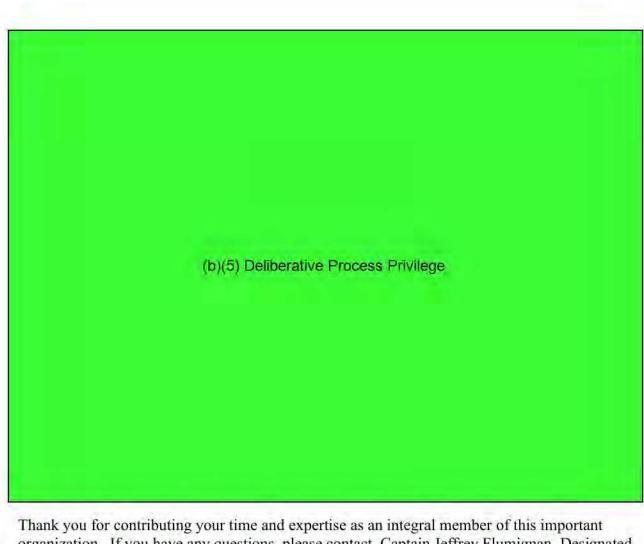
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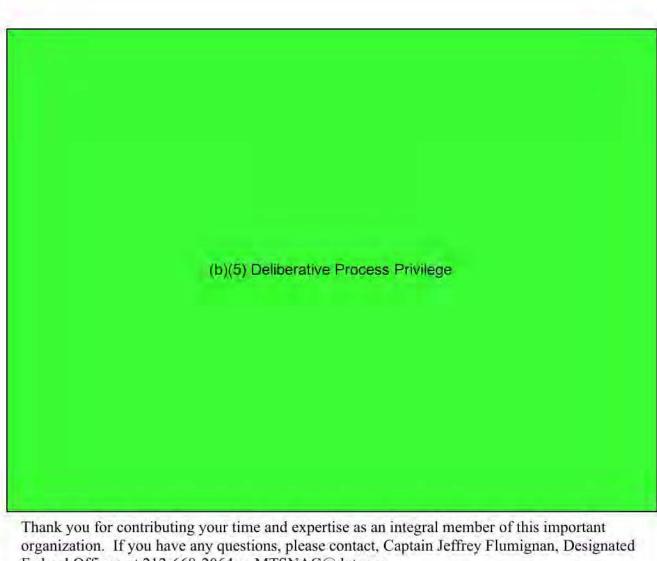
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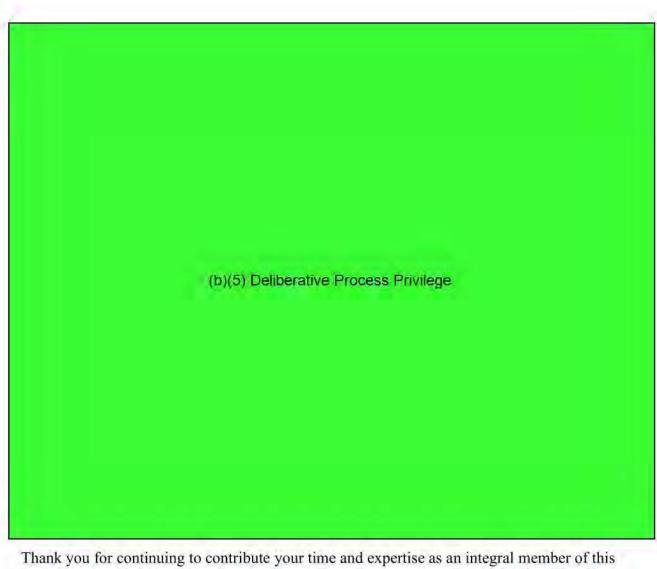
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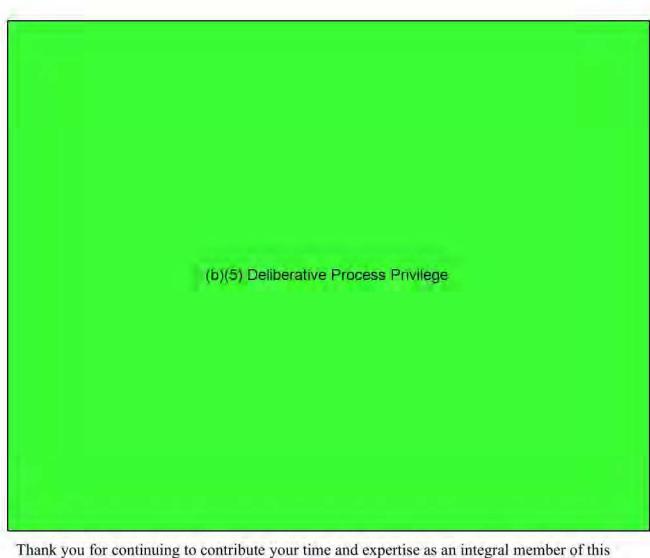
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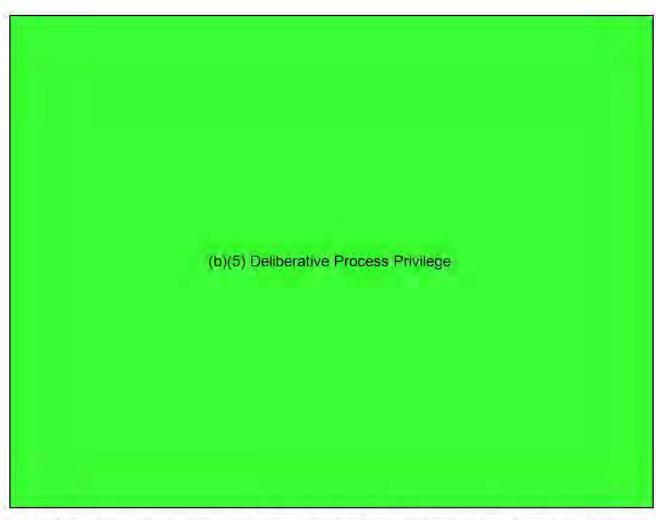
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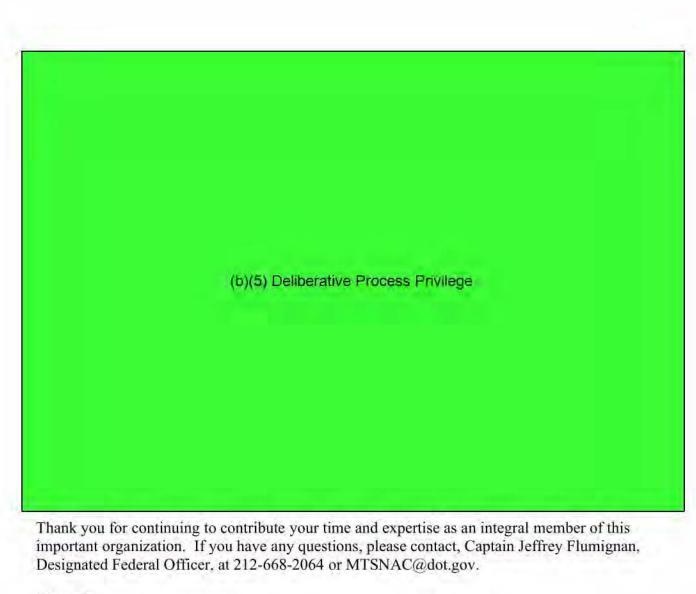
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Sincerely,





Sincerely,



U.S. DEPARTMENT OF TRANSPORTATION - MARITIME ADMINISTRATION Charter for the

U.S. MARITIME TRANSPORTATION SYSTEM NATIONAL ADVISORY COMMITTEE

- 1. COMMITTEE'S OFFICIAL DESIGNATION: The Committee shall be known as the U.S. Maritime Transportation System National Advisory Committee (MTSNAC or Committee).
- 2. AUTHORITY: The Committee is established pursuant to section 55603 of Title 46, and in accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2. The Secretary of Transportation delegated to the Maritime Administrator authority to carry out functions related to the MTSNAC under 49 CFR § 1.93(a). The MTSNAC is in the public interest and supports the Maritime Administration (MARAD) in performing its duties and responsibilities.
- 3. OBJECTIVES AND SCOPE OF ACTIVITIES: The objective of this Committee is to identify and seek solutions to impediments hindering effective use of short sea transportation. The Committee will provide information, advice, and recommendations to the U.S. Secretary of Transportation (Secretary), through the Maritime Administrator (Administrator), on matters relating to the U.S. maritime transportation system and its seamless integration with other segments of the transportation system, including the viability of the U.S. Merchant Marine. The Committee will not exercise program management responsibilities and will make no decisions directly affecting the programs on which it provides advice; decisions directly affecting implementation of maritime policy will remain with the Administrator.

The Administrator will use the advice, information, and recommendations generated by the MTSNAC for an array of policy deliberations and for interagency discussions on the implementation of a National Maritime Transportation Strategy. The Secretary and Administrator may accept or reject a recommendation made by the MTSNAC and are not bound to pursue any recommendation from the MTSNAC. In the exercise of his or her discretion, the Secretary, Administrator, or his or her designee, may withdraw a task being considered by the MTSNAC at any time.

- 4. DESCRIPTION OF DUTIES: The MTSNAC shall undertake information-gathering activities, develop technical advice and present recommendations to the Administrator on matters including but not limited to the following:
 - a. How to address impediments hindering effective use of short sea transportation, including the expansion of America's Marine Highways, as directed in 46 U.S.C. § 55603;
 - b. Approaches to improve waterborne transportation to reduce congestion and increase mobility throughout the domestic transportation system;
 - c. Methods to expand the capacity and productivity of America's gateway ports to accommodate larger vessels and increase the velocity of cargo through those ports;
 - d. Ways to strengthen maritime capabilities essential to economic and national security, including the strategic sealift capabilities of our Nation;



- e. Capabilities needed to modernize the maritime workforce and inspire and educate the next generation of mariners;
- f. How to minimize environmental and community impacts of water transportation;
- g. Encourage continued innovation in the maritime sector; and,
- h. Actions MARAD can take to meet its mission to foster, promote, and develop the maritime industry of the United States to meet the economic and security needs of the Nation.
- 5. AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS: The Committee reports to the Administrator.
- 6. SUPPORT: MARAD will provide administrative and technical support to the Committee.
- 7. ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS: Annual administrative operating costs are estimated at \$220,000, including the equivalent of one Federal full-time equivalent (FTE).
- 8. DESIGNATED FEDERAL OFFICER: The Administrator shall designate a full-time or permanent part-time MARAD employee to serve as the DFO for the MTSNAC, as well as any alternate DFOs to support the Committee.
- 9. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS: The Committee will be expected to meet at least three times per fiscal year.
- 10. DURATION: Continuing
- 11. TERMINATION: This charter shall terminate 2 years after its effective date unless renewed in accordance with FACA and other applicable requirements.
- 12. MEMBERSHIP AND DESIGNATION: The Committee will be comprised of approximately 25 voting members who will represent points of view held by organizations, associations, or classes of individuals relevant to the U.S. marine transportation system. Individual members and not their organizations are appointed to the Committee. The Maritime Administrator will seek a membership that is fairly balanced in terms of points of view of the affected interests.

Pursuant to 46 U.S.C. § 55603, MTSNAC membership will include a representative of the Environmental Protection Agency, other Federal entities, state and local entities, and private sector entities. The Federal entities may include the Department of Commerce, U.S. Army Corps of Engineers, U.S. Coast Guard, and U.S. Customs and Border Protection. The Secretary may appoint additional representatives from other Federal Agencies as deemed appropriate.

Non-Federal members will serve as Special Government Employees or Representative members. Members appointed solely for their personal expertise will serve as Special Government Employees. The Committee shall include representatives of State and local governmental entities as well as private sector entities that reflect a cross-section of maritime industries, including port and water stakeholders, in addition to representatives from academia and labor.



Committee members will serve 2-year terms, with no more than two consecutive term reappointments, and approximately one-third of members' terms of office shall expire every 2 years. All members are appointed by, and serve at the pleasure of, the Secretary of Transportation. Terms may be staggered by the Administrator to establish continuity among the membership in subsequent years. Members shall continue to serve until their replacement has been appointed. Completion of terms beyond 2 years is contingent upon the renewal of the Committee's charter.

In the event of a mid-term vacancy on the MTSNAC, a replacement member may be appointed by the Secretary. A member appointed to fill a mid-term vacancy shall serve the remainder of the term, and the appointment may be extended into the next term at the discretion of the Secretary.

Members of the MTSNAC serve without compensation. While engaged in the work of the MTSNAC, all members may be allowed reasonable travel, subsistence, and other necessary expenses, including per diem in lieu of subsistence, in accordance with the rates and rules set under the Federal Travel Regulations.

- 13. SUBCOMMITTEES: The Administrator or DFO may create subcommittees or work groups. All subcommittees and work groups shall report their recommendations and advice to the full MTSNAC for deliberation and discussion.
- 14. RECORDKEEPING: The records of the Committee, formally and informally established subcommittees, or other subgroups of the Committee, shall be handled in accordance with General Records Schedule 6.2 or other approved agency records disposition schedule. Subject to the Freedom of Information Act, 5 U.S.C. § 552, the Committee's documents shall be available for public inspection and copying at a single location in the offices of the Committee sponsor until the Committee ceases to exist.
- 15. FILING DATE: The filing date of this charter is [Month, Date], 2018. If not renewed, this charter will expire on [Month, Date], 2020.



Federal Advisory Committee (FAC) Membership Balance Plan

Please read the Federal Advisory Committee Membership Balance Plan Guidance prior to completing this form

(1) FEDERAL ADVISORY COMMITTEE NAME:

U.S. Maritime Transportation System National Advisory Committee (MTSNAC)

(2) Authority:

- a. The Committee is constituted pursuant to section 55603 of Title 46 U.S.C., and in accordance with the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.
- b. The Secretary of Transportation delegated to the Maritime Administrator authority under 49 CFR § 1.93(a).

(3) Mission/Function:

The objective of this Committee is to identify and seek solutions to impediments hindering effective use of short sea transportation. The Committee will provide information, advice, and recommendations to the U.S. Secretary of Transportation (Secretary), through the Maritime Administrator (Administrator), on matters relating to the U.S. maritime transportation system and its seamless integration with other segments of the transportation system, including the viability of the U.S. Merchant Marine. The Committee will not exercise program management responsibilities and will make no decisions directly affecting the programs on which it provides advice; decisions directly affecting implementation of maritime policy will remain with the Administrator. The Administrator will use the advice, information, and recommendations generated by the MTSNAC for an array of policy deliberations and for interagency discussions on the implementation of a National Maritime Transportation Strategy. It is at the discretion of the Administrator to present any recommendation of the MTSNAC to the Secretary. The Secretary and Administrator may accept or reject a recommendation made by the



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The committee will have approximately 25 voting members who reflect various perspectives of the marine transportation system. The primary areas of marine transportation system represented by MTSNAC include: (1) industry, such as ship-owners and operators, ports and terminals, shipyards, freight forwarders, beneficial cargo owners, etc.; (2) regional representation across the Nation; (3) relevant policy areas such as supply chain, goods movement, infrastructure financing; and, (4) customers, stakeholders, and providers. Consistent with 46 U.S.C. § 55603, the Committee will include representatives of the Environmental Protection Agency and other Federal, State, and local governmental entities and private sector entities. Non-federal members may be selected to serve as Representatives or Special Government Employees (SGEs). Determinations to appoint individuals as SGEs or Representatives will be based on whether the individual would be appointed solely for his or her expertise.

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(6) Candidate Identification Process:

A selection team comprised of representatives from MARAD will review the application packages. The selection team will make recommendations regarding membership to the Administrator based on the following criteria: (1) Professional or academic expertise, experience, and knowledge; (2) stakeholder representation; (3) availability and willingness to serve; and (4) relevant experience in working in committees and advisory panels. Nominations are open to all individuals without regard to race, color, religion, sex, national origin, age, mental or physical disability, marital status, or sexual orientation. The Maritime Administrator will identify individuals with various kinds of expertise, experience, and perspectives on the marine transportation system. Potential members of the Committee are reviewed by the staff of the Office of Ports & Waterways, Strategic Sealift and the Office of Chief Counsel.



The candidate's biographical information is assessed with regard to the criteria noted in paragraphs 4 and 5 above. Staff recommendations are forwarded to the Administrator and ultimately the Secretary for selection. Committee members will serve 2-year terms, with no more than two consecutive term reappointments, and approximately one-third of members' terms of office shall expire every 2 years. Each applicant's information is retained in case a mid-term vacancy should arise.

(7) Subcommittee Balance:

Once subcommittees are formed, the Maritime Administration's Office of Ports & Waterways will apply the criteria appropriate to the responsibilities of each subcommittee.

(8) Other:

N/A

(9) Date prepared/updated:

Dated as per the Charter



Membership Roster 2016-2018

1. Mr. Gary Adams Walmart Stores Inc. 2. Mr. John Baker International Longshoremen's Association 3. Mr. Richard Berkowitz Transportation Institute Mr. Robert Berry International Shipbreaking Limited, LLC 4 5. Mr. Gary Brown Genesee and Wyoming - Coastal Region Ms. Molly Campbell Port Authority of New York and New Jersey 6. 7. Mr. Vanta Coda II **Duluth Seaway Port Authorities** 8. Port of Hueneme Ms. Kristin Decas 9. Mr. Gregory Faust Washington State Ferries Mr. Peter Ford 10. Ports America 11. Mr. John Graykowski Maritime Industry Consultants Great Lakes Dredge and Dock Company, LLC 12. Mr. Bill Hanson 13. Mr. Daniel Harmon Texas Department of Transportation Foss Maritime Company 14. Ms. Susan Hayman 15. Mr. Jared Henry Hapag-Lloyd USA, LLC Hasbro Corporation Mr. Tim Hinckley 16. Captain Jim Jenkins, USCG 17. U.S. Coast Guard 18. Captain Lynn Korwatch Marine Exchange of the San Francisco Bay Region 19. Mr. Jim Kruse Texas A&M Transportation Institute 20. Mr. Gary LaGrange Port of New Orleans 21. Mr. Mark Locker Ohio Department of Transportation 22. FAPS, Inc. Mr. Gary Love 23. Mr. Griff Lynch Georgia Ports Authority 24. Mr. James Lyons Alabama State Port Authority 25. Maritime Transportation System Advisory Comm. Mr. Mike Mabry 26. Mr. Jim Pelliccio Port Newark Container Terminal 27. Mr. William Pennella Crowley Maritime Corporation 28. Mr. Torey Presti National Shipping Agencies, Inc. Virginia Port Authority 29. Mr. John Reinhart Saybrook Corporate Opportunity Funds 30. Mr. Jonathan Rosenthal 31. Port of Los Angeles Mr. Gene Seroka 32. Illinois Soybean Association (c/o FLM Harvest) Mr. Scott Sigman Mr. Karl Simon U.S. Environmental Protection Agency 33. North Jersey Transportation Planning Authority Ms. Anne Strauss-Weider 34. 35. Captain Richard Suttie Center for Homeland Security and Defense 36. Mr. John Townsend Honeywell Technology Solutions, Inc. U.S. Exporters Competitive Maritime Council 37. Ms. Margaret Vaughan Dr. Thomas Wakeman, Stevens Institute of Technology 38. Liberty Global Logistics, LLC 39. Mr. Robert Wellner General Dynamics-NASSCO 40 Mr. Thomas Wetherald Massachusetts Port Authority 41. Ms. Lisa Wieland

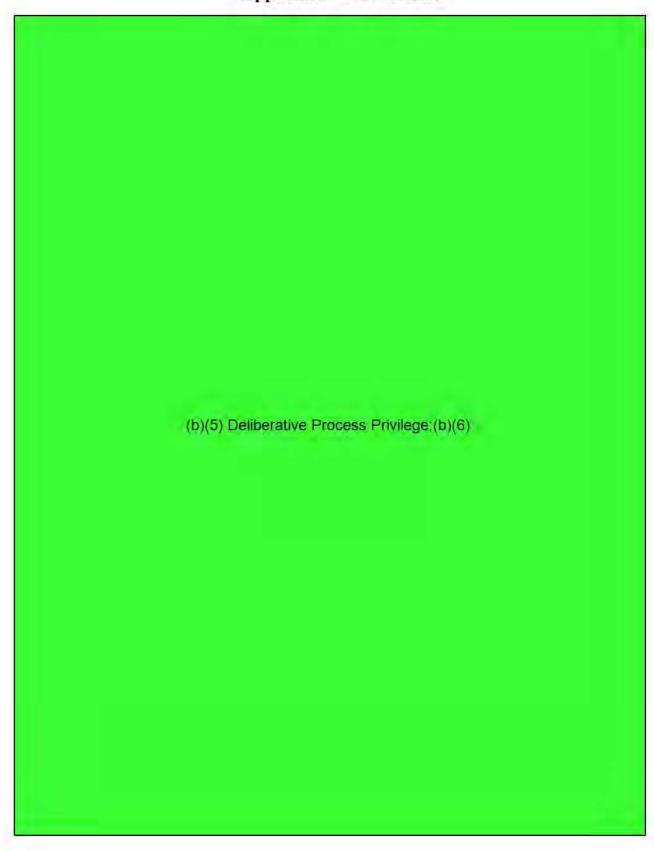


42.

Mr. Brian Wright

Owensboro Riverport Authority

Applicants - Not Selected





From: Balzano, Richard (MARAD)

Sent: 25 May 2019 18:08:07 +0000

To: Post, Andy (OST)

Cc: Bradford, Stephen (OST)

Subject: Re: Written questions

Good afternoon Andy

(b)(5) Deliberative Process Privilege

R/

DB

Get Outlook for iOS

From: Post, Andy (OST) <andy.post@dot.gov>

Sent: Saturday, May 25, 2019 1:53 PM

To: Balzano, Richard (MARAD)

Cc: Bradford, Stephen (OST)

Subject: FW: Written questions

Sir,

(b)(5) Deliberative Process Privilege



(b)(5) Deliberative Process Privilege

Sorry to reach out on a weekend but any info you have on this strategy doc could help us.

Thanks

Andy

From: Bradford, Stephen (OST)

Sent: Friday, May 24, 2019 5:37 PM

To: Post, Andy (OST) <Andy.Post@dot.gov>

Subject: Fwd: Written questions

Get Outlook for iOS

From: Ziff, Laura (OST)

Sent: Friday, May 24, 2019 5:35:56 PM

To: Bradford, Stephen (OST)

Cc: Hurdle, Lana (OST)

Subject: FW: Written questions

Hi Steve -

(b)(5) Deliberative Process Privilege



(b)(5) Deliberative Process Privilege

Please forward this to Andy if you think it is useful. There are lots of ways you can look at these numbers.

Thanks,

Laura

From: Ziff, Laura (OST)

Sent: Friday, May 24, 2019 5:31 PM

To: Post, Andy (OST) < Andy.Post@dot.gov >; Bradford, Stephen (OST)

<stephen.bradford@dot.gov>

Cc: Hurdle, Lana (OST) < Lana. Hurdle@dot.gov>

Subject: RE: Written questions

Hi Andy and Steve -

Per my discussion with Steve, here is an answer to the NYT question. For your reference, I have included the question that has been asked (highlighted in yellow). My answer is below:

ADDITIONAL FOLLOW UP BY NYT



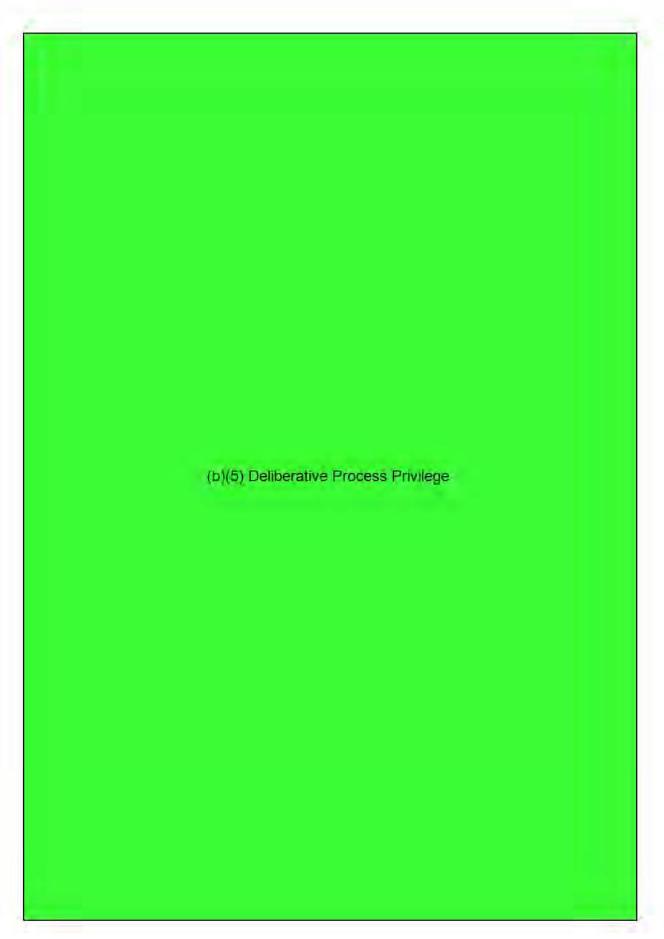
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million	million	million	million	million
\$658	\$407	\$423	\$390	\$396
2015	<u>2016</u>	2017	2018	2019

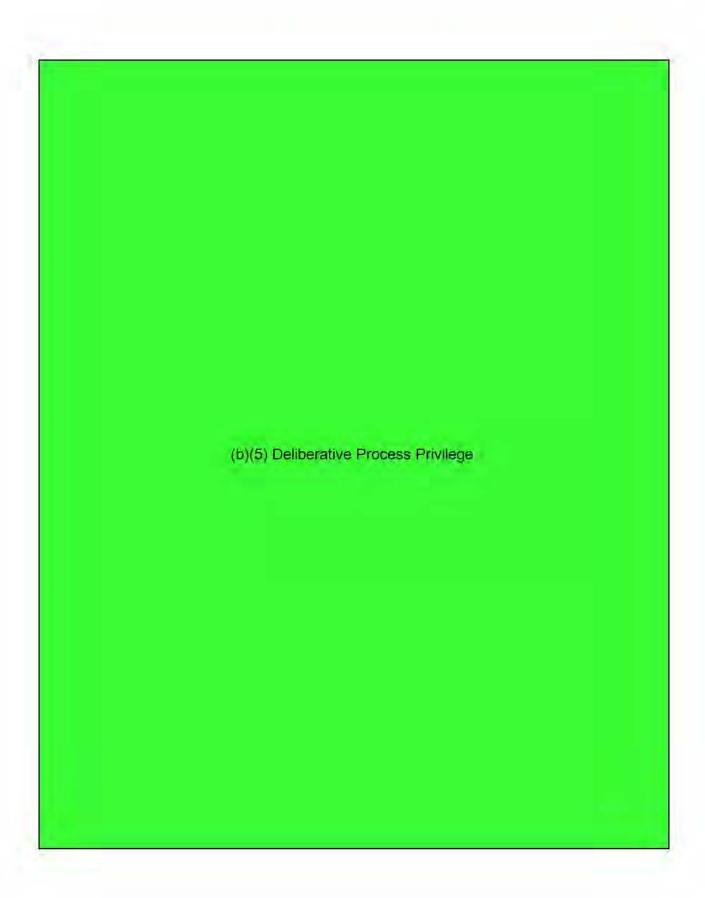
ANSWER

(b)(5) Deliberative Process Privilege











(b)(5) Deliberative Process Privilege

I hope this helps. Please let me know if there is any other information we can provide.

Thanks,

Laura

From: Bradford, Stephen (OST)

Sent: Friday, May 24, 2019 2:57 PM

To: Ziff, Laura (OST) < Laura. Ziff@dot.gov>

Subject: FW: Written questions

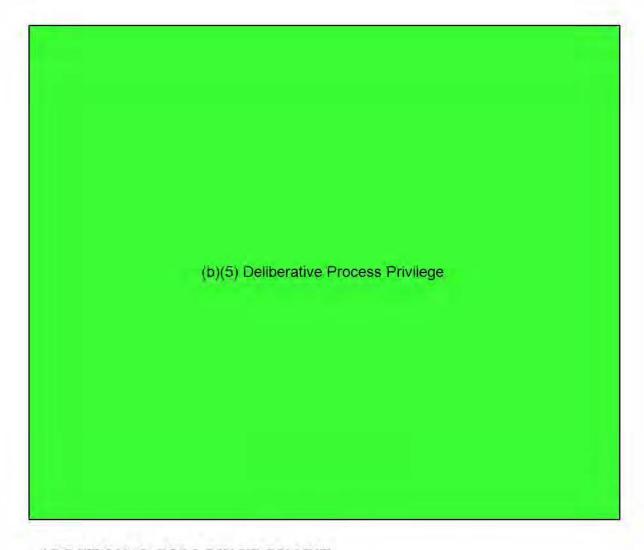
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cuts to MSP funding. Furthermore, the agency still has not been released, despite criticism from GAO, the broader maritime strategy plan to help stabilize the US maritime fleet. The 2020 budget shows full funding for MSP and it shows funding for an additional training ship. But that ship would be smaller than the one than had been planned. Some members of Congress and in the maritime community have questioned DOT's commitment and the Trump administration's commitment to the maritime industry. What is Ms. Chao's response to this criticism?







ADDITIONAL FOLLOW UP BY NYT

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<u>2015</u> <u>2016</u> <u>2017</u> <u>2018</u> <u>2019</u>



\$658 \$407 \$423 \$390 \$396 million million million million

ADDITIONAL FOLLOW UP BY NYT

++ If you look at the actions the Commerce Department has taken regarding the steel industry, or that the E.P.A. and Interior have taken regarding the coal and oil and gas industries--to try to bolster these industries that the Trump administration believes are vital to the future of the United States economy--why has there not been a similarly aggressive collection of actions by USDOT regarding the United States maritime industry? For example, there have been calls and legislation proposed for the United States to require that a share of natural gas exports be carried on US flagged ships, to help support the US flagged fleet, but US DOT has not endorsed this measure. Similarly, GAO has repeatedly called for the issuance of the maritime strategy that DOT has been working on for several years to help bolster the US maritime system, but this plan has not been released, even after the head of MARAD said that it was essentially complete. Also, during the first two years of the Trump administration, the president's proposed budget for MARAD, excluding the one-time



From: Calhoun, Scott (OST)

 Sent:
 26 Mar 2019 11:17:56 +0000

 To:
 Balzano, Richard (MARAD)

Subject: FW: Houston Ship Channel Closure

Attachments: WireAP_b18f87a67db94ea8abaab9fcda03d879_16x9_992.jpg

FYI/SA

From: Calhoun, Scott (OST)

Sent: Tuesday, March 26, 2019 6:55 AM

To: Inman, Todd (OST) <todd.inman@dot.gov>; Buzby, Mark (MARAD) <mark.buzby@dot.gov>

Cc: Balzano, Richard (MARAD) <Richard.Balzano@dot.gov>; Burnett, Douglas (MARAD)

<Douglas.Burnett@dot.gov>; Brand, Lauren (MARAD) <lauren.brand@dot.gov>; Hill, Brian (MARAD)

<Brian.P.Hill@dot.gov>; Chavez, Richard (OST) <richard.chavez@dot.gov>; McMaster, Sean (OST)

<sean.mcmaster@dot.gov>; Post, Andy (OST) <Andy.Post@dot.gov>; Bedell, Anthony (OST)

<anthony.bedell@dot.gov>; Chavez, Richard (OST) <richard.chavez@dot.gov>

Subject: RE: Houston Ship Channel Closure

Todd - good morning, Sir!

Wrt Houston, the Captain of the Port opened the San Jacinto River to vessel traffic during daylight hours only. Some portions of the Houston Ship Channel remained closed, with the exception of limited USCG-coordinated movements. Also, cargo operations are back to normal with no USCG restrictions. Air monitoring and vessel de-contamination ops continue; USCG maintains an active ICP and Unified Command. USCG is minimizing impacts and facilitating commercial operations to the full extent possible.

I'm trying to find out the timeline for unrestricted traffic. I'll provide that info soonest.

https://abcnews.go.com/Health/wireStory/environmental-economic-damage-concern-now-fire-61939842

I've been, and will remain, in touch with Rich and the TOC, pending any further actions.





V/R, Scott

From: Inman, Todd (OST) <todd.inman@dot.gov>

Sent: Sunday, March 24, 2019 11:09 AM

To: Buzby, Mark (MARAD) <mark.buzby@dot.gov>

Cc: Balzano, Richard (MARAD) < Richard.Balzano@dot.gov >; Burnett, Douglas (MARAD)

<<u>Douglas.Burnett@dot.gov</u>>; Brand, Lauren (MARAD) <<u>lauren.brand@dot.gov</u>>; Hill, Brian (MARAD)

<Brian.P.Hill@dot.gov>; Chavez, Richard (OST) <richard.chavez@dot.gov>; Calhoun, Scott (OST)

<<u>Scott.Calhoun@dot.gov</u>>; McMaster, Sean (OST) <<u>sean.mcmaster@dot.gov</u>>; Post, Andy (OST)

<a href="mailto: mailto:Andy.Post@dot.gov

Subject: Re: Houston Ship Channel Closure

Thanks Admiral.

Adding Andy Post in the event of media inputs and Anthony Bedell in the event of any hill outreach.

J. Todd Inman Chief of Staff United States Department of Transportation Washington DC 20590

From: Buzby, Mark (MARAD) < mark.buzby@dot.gov>

Sent: Sunday, March 24, 2019 11:07 AM

To: Inman, Todd (OST)

Cc: Balzano, Richard (MARAD); Burnett, Douglas (MARAD); Brand, Lauren (MARAD); Hill, Brian (MARAD);

Chavez, Richard (OST); Calhoun, Scott (OST) **Subject:** Houston Ship Channel Closure



Todd.

Report below details closing of a section of Houston Ship Channel - at least though today -by USCG Captain of the Port due to high levels of benzine in air from recent oil tank farm fire.

Undetermined how long closure will continue; closing the channel due to fog for several days is not uncommon, but will have to see how long this persists before significant impacts to petroleum and other cargo occurs.

Our man - Brian Hill- is part of port consortium and is keeping us advised. USCG has the lead. Will advise.

R/MHB

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From: Hill, Brian (MARAD)

Sent: Saturday, March 23, 2019 5:36:25 PM

To: MCCWatchAnalyst (MARAD); MCCWatchDirector (MARAD)

Cc: Brand, Lauren (MARAD); Paape, William (MARAD)

Subject: Houston Ship Channel to remain closed until Benzene air levels drop. At least through

tomorrrow

MCC:

The Sector Houston-Galveston Vessel Traffic Service held a Port Coordination Team (PCT) conference call today at 1000 hours in order to address ongoing traffic concerns due to a chemical spill from ITC in Deer Park.

The US Coast Guard Sector Waterways Management office issued Marine Safety Information Bulletin (MSIB 05-19) calling for all vessels on the Houston Ship Channel from Cargill Facility east to Cemex USA, that is Houston Ship Channel Light 139 to Light 129, to cease all cargo operations due to high levels of benzene detected in the area.

The Houston Ship Channel remains closed to all traffic within the area named above.

Vessel Traffic Service (VTS)advised that there is now a USCG Gulf Strike Team on the scene working under the Unified Command and the Incident Command Post. Not much is being done because benzene levels are high and spiking in places; Port Houston fireboats have detected as high as 25 ppm in the area directly around the site.

USCG has an air asset surveying the area from above. Booms are in place throughout, trying to contain the spill in the area.

Crews have evacuated many vessels located within the area. Any unmanned vessels must be reported to the VTS. Some ships within the area have also reported high levels of benzene entering the accommodations and evacuation is recommended.

There was some discussion about tugs within the area being allowed to escape the area via Old River into the fleeting areas on the San Jacinto River. This discussion has been taken up off-line.



Facilities and stakeholders outside the closure area are requested to keep a close eye on the water and report any signs of contamination seen to USCG VTS. Information is needed to build a picture as to the extent of the contamination.

Numerous parties on the call reported their concerns and priorities, but nothing much will happen with the situation until the benzene levels moderate. Several facilities are already in containment situations, and at least one is approaching a shut-down.

The Houston Pilots advised that there are 23 ships scheduled to move into the affected area, 20 ships awaiting departure, plus 1 shifting within the harbor. They are still moving traffic below the Lynchburg Ferry, however there is minimal traffic below the area at this time.

12 harbor tugs are trapped above the spill area, with 8 tugs available below the area. One tug has been moved up from the Texas City-Galveston area but this will need to be released back because a tug must be dispatched to Freeport tomorrow morning.

The National Weather Service advised that the winds today should mainly be from the southeast at 5-10 mph, increasing to 10-15 mph this afternoon, with some gusts around 20 mph. Chances of rain are minimal, but isolated showers are possible, mainly in the afternoon; thunderstorms are unlikely. Tonight winds will be diminishing to around 5-10 mph mid-late evening. Sunday the winds will be from the south at 5-10 mph in the morning, increasing to 10-15 mph. Isolated showers are possible. Patchy sea fog is expected Sunday night. Tides will be normal throughout the weekend.

The USCBP Watch Commander advised that any agents wanting to evacuate ships crew must coordinate this activity through the Houston Seaport office. They are standing by to accommodate any such needs.

Agents are reminded to keep the Electron Notice of Arrivals/Departures (eNOA/D's) updated for their vessels, and to keep the pilots closely advised about when their ships are ready to transit, whether sailing, shifting or docking.

As this situation will not be cleared soon, there will be another PCT conference call held tomorrow at 1000 hours. Any important updates or new MSIBs in the meantime will be reported as they are received.

Brian Hill
Western Gulf Gateway Director
U.S. Maritime Administration
8701 South Gessner Road, Suite 1235
Houston, TX 77974
(281) 635-0785
Brian.p.hill@dot.gov





From: Post, Andy (OST)

Sent: 25 May 2019 17:53:30 +0000

To: Balzano, Richard (MARAD)

Cc: Bradford, Stephen (OST)

Subject: FW: Written questions

Attachments: Scan2019-05-24-165454.pdf

Sir,

(b)(5) Deliberative Process Privilege

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Thanks Andy

From: Bradford, Stephen (OST) Sent: Friday, May 24, 2019 5:37 PM

To: Post, Andy (OST) <Andy.Post@dot.gov>

Subject: Fwd: Written questions

Get Outlook for iOS

From: Ziff, Laura (OST)

Sent: Friday, May 24, 2019 5:35:56 PM

To: Bradford, Stephen (OST)
Cc: Hurdle, Lana (OST)

Subject: FW: Written questions

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Cc: Hurdle, Lana (OST) < Lana. Hurdle@dot.gov>

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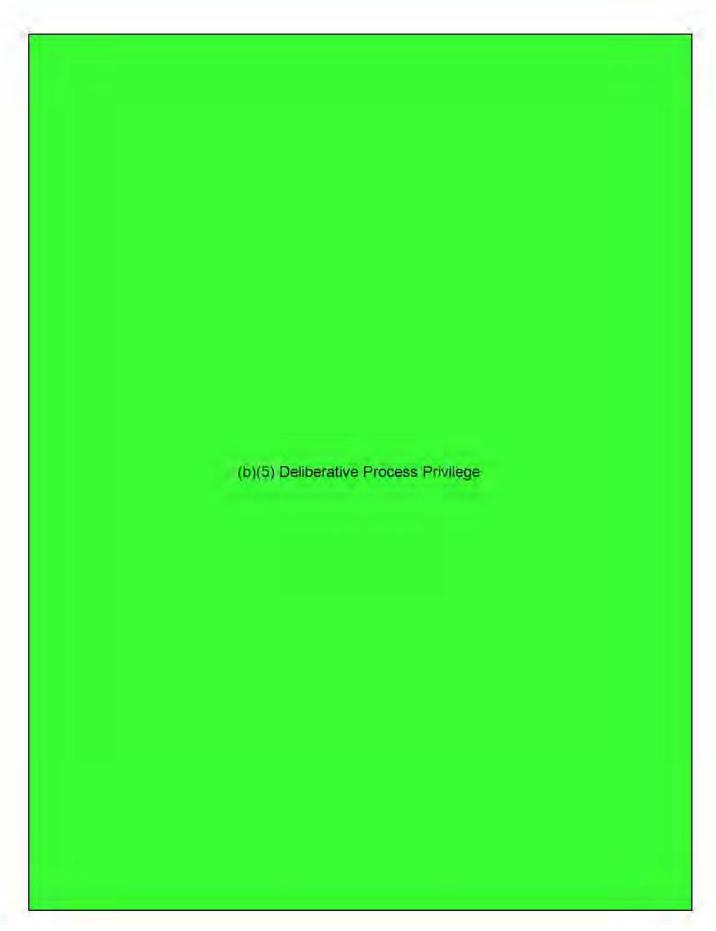
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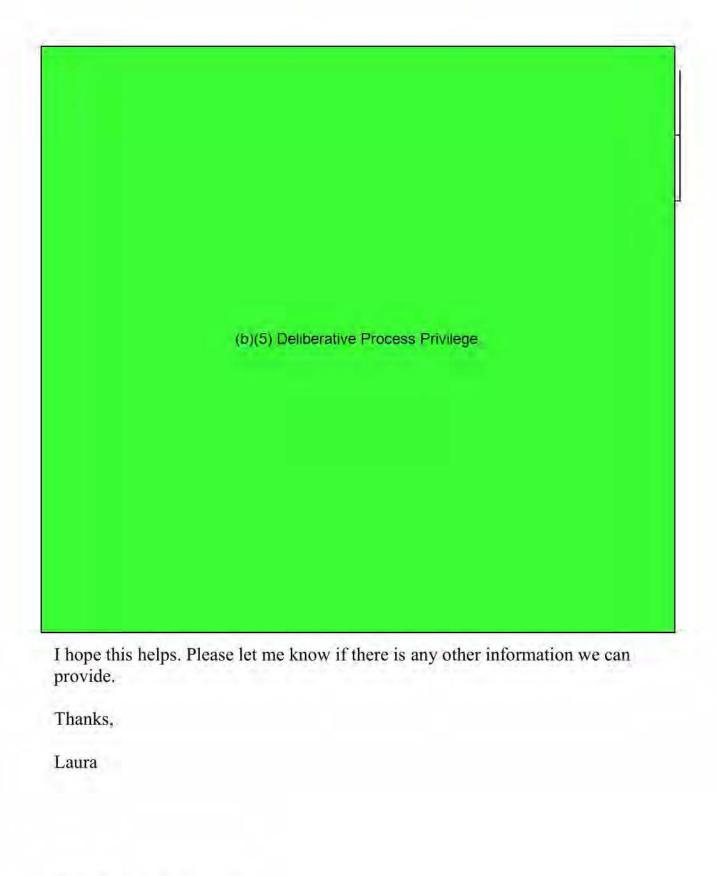
ANSWER

(b)(5) Deliberative Process Privilege









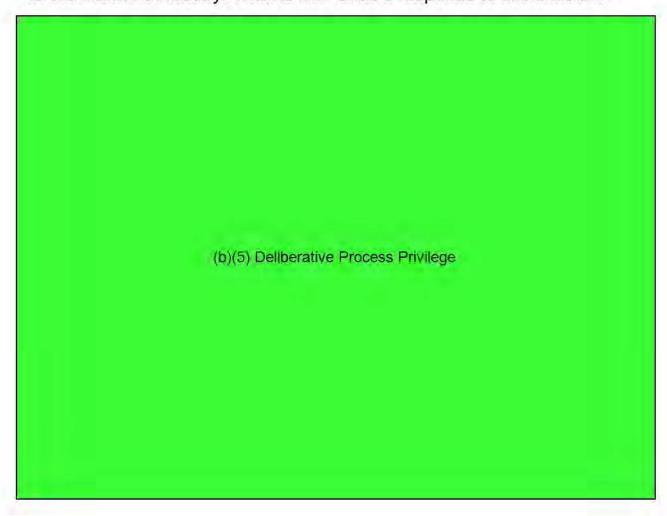
From: Bradford, Stephen (OST) Sent: Friday, May 24, 2019 2:57 PM



To: Ziff, Laura (OST) < Laura. Ziff@dot.gov>

Subject: FW: Written questions

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MARITIME ADMINISTRATION FY 2015 Budget Request Summary (Dollars in Thousands)

Account/Program	FY 2013 ACTUAL 1/	FY 2014 ENACTED	FY 2015 REQUEST	
			100	
OPERATIONS & TRAINING	148,085	148,003	148,400	
U.S. Merchant Marine Academy	81,787	79,500	79,790	
Academy Operations	60,085 2/	63,500	65,290	
Salaries & Benefits	33,382	34,000	34,390	
Operating Expenses	26,703	29,500	30,900	
Capital Improvement Program	21,702	16.000	14,500	
Capital Improvements	16,111	12,000	13,000	
Major Capital Repairs & Equip. Replacement	5,591	4,000	1,500	
State Maritime Academies	16,206	17,300	17,650	
Student Incentive Payments (SIP)	2,274	2,400	2,400	
Direct SMA Support	3,412	3,600	3,600	
School Ship Maintenance & Repair	10,520	11,300	11,300	
Mariner Compliance and Training	0	0	350	
MARAD Operations & Programs	50,092 2/	51,203	50,960	
Headquarters Operations	45,353	48.203	47,960	
Maritime Program Initiatives	4,739	3,000	3,000	
Maritime Environment & Tech Assist	3,791	3,000	3,000	
MARVIEW	948	0	0	
ASSISTANCE TO SMALL SHIPYARDS	9,458	0	0	
SHIP DISPOSAL PROGRAM	5,212	4,800	4,800	
Ship Disposal	2,369	2,000	2,000	
NS SAVANNAH	2,843	2,800	2,800	
MARITIME SECURITY PROGRAM	160,289	186,000	211,000	
Program Expenses	160,289	186,000	186,000	
Food Aid Reform	0	0	25,000	
MARITIME GUARANTEED LOAN PROGRAM				
Title XI Program	3,544	38,500	3,100	
Administrative Expenses	3,544	3,500	3,100	
Loan Guarantees	•	35,000	0	
READY RESERVE FORCE	[302,923] 3/	[299,025] 3/	291,000	₩
TOTAL	\$326,588	\$377,303	\$658,300	

^{1/} This column includes FY 2013 sequestration reductions.



^{2/} Includes reallocation of \$1.074 million from Marad Ops to Academy Ops to cover sequestration shortfalls
3/ Funds provided by reimbursement from the Department of Defense.

Rotherts a careful from the Department of Defense to gaming it FY 2015.

MARITIME ADMINISTRATION FY 2016 Budget Request Summary (Dollars in Thousands)

	FY 2014	FY 2015	FY 2016
Account/Program	ACTUAL	ENACTED	REQUEST
OPERATIONS & TRAINING	148,003	148,050	184,637
U.S. Merchant Marine Academy	79,500	79,150	96,028
Academy Operations	63,500	64,150	71,306
Salaries & Benefits	34,000	34,390	35,051
Operating Expenses	29,500	29,760	36,255
Capital Asset Management Program	16,000	15,000	24,722
Capital Improvements	12,000	12,000	20,000
Facilities Maintenance and Repair, Equipment	4,000	3,000	4,722
State Maritime Academies	17,300	18,500	34,550
Student Incentive Program (SIP)	2,400	2,400	2,400
Direct SMA Support	3,000	3,600 1/	3,000
Fuel Assistance Payments	600	1,200	1,800
School Ship Maintenance & Repair	11,300	11,300	22,000
National Security Multi-Mission Vessel Design	0	0	5,000
Mariner Compliance and Training	0	0	350
MARAD Operations & Programs	51,203	50,400	54,059
Headquarters Operations	48,203	47,400	50,059
Maritime Program Initiatives	3,000	3,000	4,000
Maritime Environment & Technical Assistance	3,000	3,000	4,000
SHIP DISPOSAL PROGRAM	4,800	4,000	8,000
Ship Disposal	2,000	2/	5,000
NS SAVANNAH	2,800	2/	3,000
MARITIME SECURITY PROGRAM	186,000	186,000	211,000
Program Expenses	186,000	186,000	186,000
Food Aid Reform	0	0	25,000
MARITIME GÙARANTEED LOAN PROGRAM			
Title XI Program	38,500	3,100	3,135
Administrative Expenses	3,500	3,100	3,135
Loan Guarantees	35,000	0	0
TOTAL	\$377,303	\$341,150	\$406,772

^{1/} The FY 2015 National Defense Authorization Act includes \$3.6 million for SMA direct payments, which provides an increase in FY 2015 authorized level by \$600K per 46 U.S.C. 51505.



^{2/}The Consolidated and Further Continuing Appropriations Act, 2015 provides \$4 million lump sum for the Ship Disposal Program account to fund SAVANNAH and Ship Disposal recycling contracts.

MARITIME ADMINISTRATION FY 2017 Budget Request Summary (Dollars in Thousands)

Account/Program	FY 2015 ACTUAL	FY 2016 ENACTED	FY 2017 REQUEST	
OPERATIONS & TRAINING	148,050	171,155	194,146	
U.S. Merchant Marine Academy	79,150	82,500	99,902	
Academy Operations	64,150	64,500	74,851	
Salaries & Benefits	34,390	35,051	35,474	
Operating Expenses	29,760	29,449	39,377	
Capital Asset Management Program	15,000	18,000	25,051	
Capital Improvements	12,000	15,000	20,179	
Facilities Maintenance and Repair, Equipment	3,000	3,000	4,872	
State Maritime Academies	18,500	33,600	29,550	
Student Incentive Program	2,400	2,400	2,400	
Direct SMA Support	3,600	3,000	3,000	
Fuel Assistance Payments	1,200	1,200	1,800	
School Ship Maintenance & Repair	11,300	22,000	22,000	
National Security Multi-Mission Vessel Design		5,000	*	
Mariner Compliance and Training	2	15	350	
National Security Multi-Mission Vessel				
(NSVM)/School Ship Replacement Program	8	9	6,000	
MARAD Operations & Programs	50,400	55,055	58,694	
Headquarters Operations	47,400	47,055	52,694	
Maritime Program Initiatives	3,000	8,000	6,000	
StongPorts	9	-	3,000	
Maritime Environment & Technical Assistance	3,000	3,000	3,000	
Short Sea Transportation (America's Marine				
Highways)	¥	5,000		
ASSISTANCE TO SMALL SHIPYARDS	5	5,000	*	
SHIP DISPOSAL PROGRAM	4,000	5,000	20,000	
Ship Disposal	1/	2/	9,000	
NS SAVANNAH Decommissioning	×	~	8,000	
NS SAVANNAH	1/	2/	3,000	
MARITIME SECURITY PROGRAM	186,000	210,000	211,000	
Program Expenses	186,000	210,000	186,000 3/	
Food Aid Proposal	-		25,000	
MARITIME GUARANTEED LOAN PROGRAM	3,100	8,135	-2,000	
Administrative Expenses	3,100	3,135	3,000	
Loan Guarantees	and and an	5,000	100 500 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	
Loan Guarantees (Cancellation of Unobligated Balances)			-5,000	
TOTAL	\$341,150	\$399,290	\$423,146	

 $^{1/\,} The\ Consolidated\ and\ Further\ Continuing\ Appropriations\ Act,\ 2015\ provides\ \$4\ million\ lump\ sum\ for\ the\ Ship\ Disposal\ Program\ account\ to\ fimd\ SAVANNAH\ and\ Ship\ Disposal\ recycling\ contracts.$

^{3/}The FY 2017 request does not reflect the amount authorized in the Consolidated Appropriations Act, 2016 enacted on December 18, 2015 since there was insufficient time to analyze the new funding levels to support submission with this request.



^{2/} The Consolidated Appropriations Act, 2016 provides \$5 million lump sum for the Ship Disposal Program account to fund SAVANNAH and Ship Disposal recycling contracts.

MARITIME ADMINISTRATION FY 2018 Budget Request Summary (Dollars in Thousands)

ACCOUNT/PROGRAM	FY 2016 ENACTED	FY 2017 ANNUALIZED CR	FY 2017 ENACTED	FY 2018 REQUEST
OPERATIONS & TRAINING	\$171,155	\$170,830	\$175,560	\$171,820
U.S. Merchant Marine Academy	82,500	82,343	83,218	84,400
Academy Operations	64,500	64,377	69,000	66,400
Capital Asset Management Program	18,000	17,966	14,218	18,000
Capital Improvements	15,000	14,972	11,218	14,179
Facilities Maintenance and Repair, Equipment	3,000	2,994	3,000	3,821
State Maritime Academies	33,600	33,536	35,200	27,400
Student Incentive Program	2,400	2,396	2,400	2,400
Direct SMA Support	3,000	2,994	3,000	3,000
Fuel Assistance Payments	1,200	1,198	1,800	150
School Ship Maintenance & Repair	22,000	21,958	22,000	22,000
Training Ship Replacement	5,000	4,990	6,000	19416
MARAD Operations & Programs	55,055	54,951	57,142	\$60,020
Headquarters Operations	47,055	46,967	49,142	53,020
Maritime Program Initiatives	8,000	7,984	8,000	7,000
Maritime Environment & Technology Assistance	3,000	2,994	3,000	3,000
Short Sea Transportation (America's Marine				
Highways)	5,000	4,990	5,000	4,000
ASSISTANCE TO SMALL SHIPYARDS	5,000	4,990	10,000	E
SHIP DISPOSAL PROGRAM	5,000	4,990	34,000	9,000
Ship Disposal	1/	2/	7,000	6,000
NS SAVANNAH	1/	2/	3,000	3,000
NS SAVANNAH Decommissioning			24,000	122
MARITIME SECURITY PROGRAM	210,000	209,601	300,000	210,000
MARITIME GUARANTEED LOAN PROGRAM	8,135	8,119	3,000	10) (#4)
Administrative Expenses	3,135	3,129	3,000	-
Loan Guarantees	5,000	4,990	T.A.E.N.A :###	-
TOTAL	\$399,290	\$398,530	\$522,560	\$390,820

^{1/} The Consolidated Appropriations Act, 2016 provides \$5 million lump sum for the Ship Disposal Program account to fund SAVANNAH and Ship Disposal recycling contracts.



^{2/} Funding for FY 2017 is shown in the lump sum similar to FY 2016 for the Ship Disposal Program account which includes funds for SAVANNAH and Ship Disposal recycling contracts.

MARITIME ADMINISTRATION FY 2019 Budget Request Summary (Dollars in Thousands)

ACCOUNT/PROGRAM	FY 2017 ACTUAL	FY 2018 ANNUALIZED CR	FY 2019 REQUEST	
OPERATIONS & TRAINING	\$175,560	\$174,367	\$152,428	
U.S. Merchant Marine Academy	83,218	82,652	74,593	
Academy Operations	69,000	68,531	70,593	
Capital Asset Management Program	14,218	14,121	4,000	
Capital Improvements	11,218	11,141	1,000	
Facilities Maintenance and Repair, Equipment	3,000	2,980	3,000	
State Maritime Academies	29,200	29,002	24,400	
Student Incentive Program	2,400	2,384	2,400	
Direct SMA Support	3,000	2,980	-	
Fuel Assistance Payments	1,800	1,788	32	
School Ship Maintenance & Repair	22,000	21,850	22,000	
School Ship Replacement Program 1/	6,000	5,959		
MARAD Operations & Programs	57,142	56,754	53,435	
Headquarters Operations	49,142	48,808	53,435	
Maritime Program Initiatives	8,000	7,946		
Maritime Environment & Technology Assistance	3,000	2,980		
Short Sea Transportation/America's Marine Highways	5,000	4,966		
ASSISTANCE TO SMALL SHIPYARDS	10,000	9,932		
SHIP DISPOSAL PROGRAM	34,000	33,769	30,000	
Ship Disposal	7,000	6,952	2,000	
NS SAVANNAH	3,000	2,980	3,000	
NS SAVANNAH Decommissioning	24,000	23,837	25,000	
MARITIME SECURITY PROGRAM	300,000	297,963	214,000	
MARITIME GUARANTEED LOAN PROGRAM	3,000	2,980	1.0	
Administrative Expenses	3,000	2,980		
TOTAL	\$522,560	\$519,011	5396,428	

1/ The School Ship Replacement Program was previously enacted as the National Security Multi-Mission Vessel (NSMV) program

694,428



IMPORTANT UPDATE TO THE PRESIDENT'S FY 2019 BUDGET REQUEST FOR THE DEPARTMENT OF TRANSPORTATION

The recently agreed upon two-year cap deal includes updates to some of the President's FY 2019 Budget requests for domestic discretionary programs. Included among these changes, is an additional \$300 million provided to the Maritime Administration to replace two of its aging Schoolships – the TS Empire State and the TS Kennedy.

This update increases the total request for the Maritime Administration's Operations and Training account by \$300 million to a total of \$452.4 million. As a result, the total request for the Maritime Administration increases to \$696.4 million. This brings the total President's Budget request to \$76.8 billion for the Department of Transportation.



MARITIME ADMINISTRATION FY 2020 Budget Request Summary (Dollars in Thousands)

ACCOUNT/PROGRAM OPERATIONS & TRAINING	FY 2018 <u>ACTUAL</u> \$513,642	FY 2019 <u>ANNUALIZED CR</u> <u>\$513,642</u>	FY 2019 <u>ENACTED</u> <u>\$149,442</u>	FY 2020 REQUEST \$377,497
U.S. Merchant Marine Academy Academy Operations Capital Asset Management Program Capital Improvements Facilities Maintenance and Repair, Equipment	121,000 69,000 52,000 45,000 7,000	121,000 69,000 52,000 45,000 7,000	88,593 70,593 18,000 10,000 8,000	81,944 77,944 4,000 -
State Maritime Academics Student Incentive Program Direct SMA Support Fuel Assistance Payments Training Vessel Sharing School Ship M&R National Security Multi-mission Vessel Program School Ship Replacement Program	332,200 2,400 6,000 1,800 - 22,000 300,000	332,200 2,400 6,000 1,800 - 22,000 300,000	[345,200] 3/ [2,400] [6,000] [3,800] [8,000] [25,000] [300,000]	242,280 3/ 2,400 3,000 1,800 - 5/ 30,080
MARAD Operations & Programs Headquarters Operations Maritime Program Initiatives Maritime Environment & Technology Assistance America's Marine Highways STATE MARITIME ACADEMY OPERATIONS 3/	60,442 50,442 1/ 10,000 3,000 7,000	60,442 50,442 1/ 10,000 3,000 7,000	60,849 50,849 10,000 3,000 7,000	53,273 53,273
ASSISTANCE TO SMALL SHIPYARDS SHIP DISPOSAL PROGRAM Ship Disposal NS SAVANNAH NS SAVANNAH	20,000 116,000 6,000 3,000 107,000	20,000 116,000 6,000 3,000 107,000	345,200 20,000 <u>5,000</u> ^{4/}	5,000 2,000 3,000
MARITIME SECURITY PROGRAM 2/ MARITIME GUARANTEED LOAN PROGRAM Administrative Expenses Loan Guarantees PORT INFRASTRUCTURE DEVELOPMENT PROGRAM	300,000 30,000 3,000 27,000	300,000 30,000 3,000 27,000	300,000 3,000 3,000 - 292,730	300,000
SUBTOTAL OPERATIONS & TRAINING EMERGENCY RELIEF 6/	979,642 10,000	979,642	1,115,372	682,497
GRAND TOTAL	\$989,642	\$979,642	<u>\$1,115,372</u>	\$682,497

^{1/} Includes \$1 million for contract support and/or additional personnel to administer, manage, and oversee the NSMVP new construction contract.



^{2/} The Maritime Administration proposes a cancellation of \$25 million in Maritime Security Program prior-year unobligated balances in the FY 2020 Congressional Budget request.

^{3/} The FY 2019 Consolidated Appropriations Act (P.L. 116-6) enacted on February 15, 2019 provided funding for the six State Maritime Academies (SMAs) under a new "State Maritime Academy Operations" appropriations account. The enactment of this bill occurred during final production of the FY 2020 Budget and therefore funding to support the SMAs in this request remains under MARAD's Operations and Training (O&T) appropriation.

^{4/} The FY 2019 Consolidated Appropriations Act, provided \$5 million lump sum for the Ship Disposal Program account to fund SAVANNAH and Ship Disposal recycling contracts.

^{5/}Funding for Training Vessel Sharing is requested under the School Ship M&R request for FY 2020.

^{6/} Includes \$10 million supplemental funding from the Further Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (P.L. 115-123).